

BOARD OF SUPERVISORS

MINUTES

July 28, 2004

Supervisors in Attendance:

Mr. Kelly E. Miller, Chairman
Mrs. Renny B. Humphrey
Mr. R. M. "Dickie" King, Jr.
Mr. Arthur S. Warren

Supervisor Absent:

Mr. Edward B. Barber, Vice Chrm.

Mr. Lane B. Ramsey
County Administrator

Staff in Attendance:

Lt. Col. James Bourque,
Police Department
Mr. George Braunstein,
Exec. Dir., Community
Services Board
Mr. Craig Bryant, Dir.,
Utilities
Ms. Mary Ann Curtin, Dir.,
Intergovtl. Relations
Ms. Rebecca Dickson, Dir.,
Budget and Management
Mr. James Dunn, Dir.,
Economic Development
Mr. William Dupler,
Building Official
Ms. Lisa Elko, CMC
Clerk
Chief Stephen A. Elswick,
Fire Department
Ms. Karla Gerner, Dir.,
Human Resource Mgmt.
Mr. Michael Golden, Dir.,
Parks and Recreation
Mr. Bradford S. Hammer,
Deputy Co. Admin.,
Human Services
Mr. John W. Harmon,
Right-of-Way Manager
Mr. Russell Harris, Acting
Dir. of Real Estate
Assessments
Mr. Joseph Horbal,
Commissioner of Revenue
Mr. Thomas E. Jacobson,
Dir. of Revitalization
Mr. H. Edward James,
Dir., Purchasing
Mr. Donald Kappel, Dir.,
Public Affairs
Mr. Rob Key, Asst. Dir.,
General Services
Mr. Jacob W. Mast, Jr.,
Nursing Home Admin.
Mr. R. John McCracken,
Dir., Transportation
Mr. Richard M. McElfish,
Dir., Env. Engineering
Mr. Steven L. Micas,
County Attorney
Mr. James J. L. Stegmaier,
Deputy Co. Admin.,
Management Services

Mr. M. D. Stith, Jr.,
Deputy Co. Admin.,
Community Development
Mr. Thomas Taylor, Dir.,
Block Grant Office
Mr. Kirkland A. Turner,
Director of Planning

Mr. Miller called the regularly scheduled meeting to order at 3:09 p.m.

1. APPROVAL OF MINUTES

On motion of Mr. Warren, seconded by Mr. King, the Board approved the minutes of June 23, 2004, as submitted, and June 25, 2004, as amended.

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

2. COUNTY ADMINISTRATOR'S COMMENTS

2.C. DETERMINED PROMISE 2004 BRIEFING

Battalion Chief David Bailey provided details of the Determined Promise 2004 field exercise to be conducted at Bensley Elementary School on August 6, 2004, which is designed to test the county's response to a terrorist event. He stated the event will include participants from various regional, state and federal agencies. He further stated a grant from the Department of Homeland Security will provide funding for the field exercise and noted the specific details of the event are confidential.

2.B. UNITED STATES FISH AND WILDLIFE SERVICE PRESENTATION

Mr. Joseph McCauley, Refuge Manager for the United States Fish and Wildlife Service, accompanied by Mr. Cyrus Brame, provided details of recent improvements at the Presquile National Wildlife Refuge. He presented a \$5,130 revenue sharing check to Mr. Miller, representing Refuge Revenue Sharing Act payments for use at Presquile.

Mr. Miller thanked Mr. McCauley for the revenue sharing payment.

2.A. ACCREDITATION AWARDED TO THE COMMUNITY SERVICES BOARD

Mr. Ramsey stated the Chesterfield Community Services Board (CSB) has been informed by the Rehabilitation Accreditation Commission (CARF), that all mental health, mental retardation and substance abuse programs and services have been accredited for a period of three years. He further stated the accreditation outcome represents the highest level of accreditation, and marks the third consecutive three-year accreditation awarded to the CSB.

Mr. Braunstein stated the CSB is the only community services board in the state that has been fully accredited three times. He expressed appreciation to Ms. Kelly Fried and Ms. Sue Tatum for their efforts that led to the CARF accreditation.

Mr. Miller presented the accreditation award to Mr. Braunstein and commended him on the efforts of the CSB that led to the recognition.

Mr. Braunstein expressed appreciation to the Board for the recognition.

Mr. Ramsey recognized Mr. Curt Nellis and welcomed him as the county's new Deputy Emergency Management Coordinator.

3. BOARD COMMITTEE REPORTS

There were no Board committee reports at this time.

4. REQUESTS TO POSTPONE ACTION, ADDITIONS, OR CHANGES IN THE ORDER OF PRESENTATION

On motion of Mr. King, seconded by Mrs. Humphrey, the Board deleted Item 8.C.13.f., Request for Permission from John B. LeBlanc, II and Miriam C. LeBlanc for a Concrete Driveway to Encroach Within a Sixteen-Foot Drainage Easement Across Lot 102, Montclair at Southbend, Section 1; added Item 8.C.19., Initiation of a Zoning Application at Chesterfield Industrial Park; replaced Item 15.B., Resolution Recognizing Boy Scout Troop 862 for Outstanding Community Service; and adopted the Agenda, as amended.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

5. RESOLUTIONS AND SPECIAL RECOGNITIONS

5.A. RECOGNIZING MR. ROBERT L. DUNN, DUPONT, UPON HIS RETIREMENT

Mr. Stith introduced Mr. Robert Dunn who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, Mr. Robert L. Dunn, better known to many as Bob Dunn, was the Environmental and Community Relations Manager for DuPont; and

WHEREAS, Mr. Dunn has had direct responsibility for assisting DuPont to achieve environmental excellence as an integral part of its business operations in Virginia; and

WHEREAS, Mr. Dunn joined DuPont as a process engineer in 1965 after graduating from the Colorado School of Mines; and

WHEREAS, his career with DuPont was interrupted as he served in the U. S. Army as an officer in the Corps of Engineers for a period of three years; and

WHEREAS, Mr. Dunn returned to the Colorado School of Mines and earned his M.S. degree in Chemical Engineering; and

WHEREAS, Mr. Dunn has been very active in the community, serving on various civic and professional boards, including as chairman of Central Virginia Waste Management Authority; chairman of the Virginia Manufacturers Association's Outreach Committee; Virginia Manufacturers Association Environmental Committee; Virginia Chemical Manufacturers Coalition Technical Committee; Chesterfield Public Education Foundation Board; and chairman of the Friends of Chesterfield's Riverfront; and

WHEREAS, Mr. Dunn received the 1998 Mentor of the Year Award for his service on the Chesapeake Bay Program; and

WHEREAS, Mr. Dunn retired from DuPont effective June 15, 2004; and

WHEREAS, it is appropriate for this Board of Supervisors, on behalf of all Chesterfield County residents, to thank Mr. Dunn for his civic-minded service, especially in regard to protecting the environment and ensuring quality public education.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 28th day of July 2004, publicly recognizes Mr. Robert L. Dunn and extends appreciation for his active and dedicated involvement in his community, including important work on behalf of the environment and public education, congratulates him on his many years of successful work with DuPont, and wishes him and his wife, Jeanne, much health, happiness and fulfillment in retirement.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

Mr. King presented the executed resolution to Mr. Dunn, accompanied by his wife, expressed appreciation for his commitment to the community, and congratulated him on his retirement.

Mr. Dunn expressed appreciation for the recognition and stated it has been a pleasure to work with county staff.

5.B. RECOGNIZING DEPUTY CHIEF PAUL A. SHORTER, CHESTERFIELD FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT, UPON HIS RETIREMENT

Chief Elswick introduced Mr. Paul Shorter who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, Deputy Chief Paul A. Shorter will retire from the Fire and Emergency Medical Services (EMS) Department, Chesterfield County, on August 1, 2004; and

WHEREAS, Chief Shorter began his career with the county as a dispatcher in Fire Alarm Headquarters on November 15, 1971 and has faithfully served the county for over 32 years in a variety of assignments; and

WHEREAS, Chief Shorter was hired as a firefighter on July 1, 1973 attending Recruit School #3; was promoted to the position of Sergeant on June 1, 1974 and then again to Lieutenant in November 1, 1976; and achieved the rank of Captain on July 1, 1977, Battalion Chief on July 16, 1978, Senior Battalion Chief on January 5, 1990, and Deputy Chief on July 1, 1996; and

WHEREAS, Chief Shorter faithfully served on the Shrink/Swell Soil Task Force formed by the county, lending his judgment and expertise to address a perplexing problem facing Chesterfield County homeowners; and

WHEREAS, Chief Shorter's expertise was again tapped when he was asked to serve on a multi-departmental workgroup to develop the "Project 2000 Planning Document" which was to guide the county in its future; and

WHEREAS, Chief Shorter was instrumental in the research, planning, and site acquisition of what was to become the Bensley, Swift Creek, Centralia, Rivers Bend, Winterpock, and Courthouse Road Fire and EMS Stations; and

WHEREAS, Chief Shorter coordinated the development of the first Heavy and Tactical Rescue Program for Chesterfield Fire and EMS and the first Career Development Program within the organization; and

WHEREAS, Chief Shorter served as project coordinator for the successful development and implementation of the EMS Revenue Recovery Program, a program that has provided revenue to meet the future demands of emergency medical services in the county and serves as the model for others across the Commonwealth to emulate; and also served as project coordinator for the department's Advanced Life Support Workgroup, a workgroup that developed numerous options for the department to consider in meeting the demands of Advanced Life Support Care on an ever-increasing emergency medical workload; and

WHEREAS, Chief Shorter served as project coordinator for the department's Staffing and Leave Management Team, a team that developed options for the department to efficiently manage its staffing demands and to more effectively manage the leave of its personnel; and

WHEREAS, Chief Shorter displayed a caring attitude toward all those he came in contact with and demonstrated excellent teamwork skills, always willing to serve his co-workers, volunteers, and the citizens of Chesterfield County.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 28th day of July 2004, publicly recognizes the contributions of Deputy Chief Paul A.

Shorter, expresses the appreciation of all residents for his service to the county, congratulations upon his retirement, and best wishes for a long and happy retirement.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

Mr. Miller presented the executed resolution and a Jefferson Cup to Mr. Shorter, accompanied by his wife and Chief Elswick, expressed appreciation for his dedicated service, and congratulated him on his retirement.

Chief Elswick presented Mr. Shorter with a shadow box containing his badges.

Mr. Shorter thanked former Fire Chiefs Robert Eanes and Wesley Dolezal as well as Chief Elswick for their support and camaraderie and stated it has been a pleasure to work for Chesterfield County.

A standing ovation followed.

5.C. RECOGNIZING CAREER DETECTIVE RICHARD V. REESE, POLICE DEPARTMENT, UPON HIS RETIREMENT

Lieutenant Colonel Bourque introduced Mr. Richard Reese who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, Career Detective Richard V. Reese retired from the Chesterfield County Police Department on July 1, 2004 after providing 26 years of quality service to the citizens of Chesterfield County; and

WHEREAS, Career Detective Reese faithfully served the county in the capacity of Patrol Officer, Detective, Senior Detective, Master Detective and Career Detective; and

WHEREAS, Career Detective Reese served as an Auxiliary Police Officer before being employed by the Chesterfield County Police Department; and

WHEREAS, during his tenure, Career Detective Reese served as a Field Training Officer and Field ID Technician; and

WHEREAS, Career Detective Reese served as a member of the Special Response Unit, Marine Patrol and SWAT; and

WHEREAS, Career Detective Reese received a Unit Citation Award as a member of the Anti-Crime Unit (formerly known as the Anti-Crime Task Force) for the successful conclusion of the investigation of a series of breaking and entering cases committed by two individuals and also received a Commendation Award for his work while serving as a member of the Anti-Crime Unit in the capture of suspects responsible for a series of commercial robberies; and

WHEREAS, Career Detective Reese and his fellow members of the Anti-Crime Unit were recognized for their teamwork,

rapid deployment, excellent display of covert surveillance skills, and officer safety skills in the arrest of felony murder suspects in the murder case of James Hoover; and

WHEREAS, Career Detective Reese has received numerous letters of thanks and appreciation for service rendered from the citizens of Chesterfield County; and

WHEREAS, Career Detective Reese has provided the Chesterfield County Police Department with many years of loyal and dedicated service; and

WHEREAS, Chesterfield County and the Board of Supervisors will miss Career Detective Reese's diligent service.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 28th day of July 2004, publicly recognizes Career Detective Richard V. Reese, and extends on behalf of its members and the citizens of Chesterfield County, appreciation for his service to the county, congratulations upon his retirement, and best wishes for a long and happy retirement.

AND, BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Career Detective Reese, and that this resolution be permanently recorded among the papers of this Board of Supervisors of Chesterfield County.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

Mr. Miller presented the executed resolution and a Jefferson Cup to Mr. Reese, accompanied by his wife and Lieutenant Colonel Bourque, expressed appreciation for his dedicated service, and congratulated him on his retirement.

Mr. Reese thanked his wife for her support and stated he will miss his friends on the Police Department.

A standing ovation followed.

6. WORK SESSION

O REGARDING PROPOSED GROWTH RELATED LEGISLATION FOR THE 2005 GENERAL ASSEMBLY

Mr. Micas presented the Board with options to deal with growth that would require legislative changes. He stated the first option for the Board's consideration is adoption of impact fee authority which would allow the county to receive 100 percent of the cost of impact of all residentially zoned lots using an impact calculation similar to the county's cash proffer methodology. He noted that this was introduced at the 2004 General Assembly and carried over.

It was the consensus of the Board that this option be included in the county's 2005 legislative program.

Mr. Micas stated the next option for the Board's consideration is adoption of a regional gas tax to fund local

road projects. He noted a one-cent increase to the Richmond region gas tax would generate approximately \$1.8 million annually for local roads.

Mr. Warren referenced a Chamber of Commerce initiative relative to a regional authority and stated he is cautious about supporting a regional gas tax increase.

Mr. Miller and Mr. King stated they, too, have concerns regarding an increase in the regional gas tax.

It was the consensus of the Board not to move forward with this option.

Mr. Micas reviewed the next option for the Board's consideration - authority for localities to adopt an adequate public facilities act, which would stipulate that development could not occur unless an adequate level of service in various public facilities could be established. He noted this type of legislation has been introduced in the General Assembly and has not met with success.

It was the consensus of the Board that the option for providing authority for localities to adopt an adequate public facilities act be included in the county's 2005 legislative program.

Mr. Micas stated another option for the Board's consideration is granting the county authority to "ration" building permits whenever growth exceeds a certain growth rate or in the alternative give the county authority to place a numerical cap on the number of new homes that can be built each year after reaching a specified growth rate.

When asked, Mr. Micas stated the language could be crafted to deal with "hot spots."

Mrs. Humphrey stated she believes the legislation needs to appeal to more than just the county's legislative delegation. She further stated the state of Florida has this tool and she feels it is worth discussing with the legislators.

Mr. Warren stated he agrees with Mrs. Humphrey.

Mr. Miller stated he would support this option.

It was the consensus of the Board to include this option in the county's 2005 legislative program.

Mr. Micas reviewed the next option for the Board's consideration - eliminating current "substantial change in neighborhood" test for down-zoning or residentially-zoned property, if down-zoning is consistent with the comprehensive plan. He noted this would expand the county's ability to down-zone non-vested residentially-zoned property.

Mr. Warren stated he would support this option as a tool to deal with growth, although he believes it would have difficulties getting through the General Assembly.

Mrs. Humphrey stated she agrees with Mr. Warren.

Mr. Miller stated he will support the option so long as the legislation does not divest private property rights.

It was the consensus of the Board to include this option in the county's 2005 legislative program.

Mr. Micas stated the next option for the Board's consideration is restricting appeals to the Board of Zoning Appeals of the Planning Director's decisions and providing for appeals only to the circuit court.

Mr. Warren stated he believes the process would be less democratic if appeals were heard by the circuit court rather than by the Board of Zoning Appeals in public session. He expressed concerns that backlogs in the circuit court would put a tremendous burden on the appellant.

Mr. King stated he is not inclined to support this option.

It was generally agreed not to move forward with a legislative request to restrict appeals to the Board of Zoning Appeals of the Planning Director's decisions and provide for appeals only to the circuit court.

Mr. Micas reviewed the next option for the Board's consideration - permitting the Board of Supervisors to appoint Board of Zoning Appeals members.

The Board unanimously supported the option to permit the Board of Supervisors to appoint Board of Zoning Appeals members.

Mr. Micas stated the next option for the Board's consideration is increasing the current five-year rollback period in the land use taxation program to ten years to encourage continuation of agricultural uses.

Mrs. Humphrey stated she does not support this option.

Mr. Miller expressed concerns relative to circumstances necessitating the elderly to sell their property, indicating that he does not feel this option would be in the county's best interest.

Mr. King stated he does not support this option.

It was generally agreed not to move forward with this item.

Mr. Micas then reviewed the last option for the Board's consideration - requiring the Virginia Department of Transportation (VDOT) to participate in local government "loans" to accelerate road improvements and insuring that the local government "loan" would be repaid in future VDOT allocations. He noted the Board already supported this option at the June 25, 2004 work session and it will be included in the county's 2005 General Assembly legislative program.

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board approved the additions to the county's 2005 General Assembly legislative program, as amended.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

7. DEFERRED ITEMS

O STREETLIGHT INSTALLATION COST APPROVAL

On motion of Mr. King, seconded by Mr. Warren the Board deferred the following streetlight request in the Bermuda District until March 9, 2005:

- Arrowfield Road, in the vicinity of 2405
Cost to install streetlight: \$2,303.70

(It is noted the design cost of \$186.96 for the Arrowfield Road streetlight will be paid out of the Bermuda District Improvement Fund; the \$2,303.70 quotation will expire; and staff will obtain a new quotation for the streetlight prior to the March 9, 2005 meeting.)

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8. NEW BUSINESS

8.A. APPOINTMENTS

On motion of Mrs. Humphrey, seconded by Mr. Warren, the Board suspended its rules at this time to allow for simultaneous nomination/appointment/reappointment of members to serve on the Youth Services Citizen Board and Disability Services Board.

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.A.1. YOUTH SERVICES CITIZEN BOARD

On motion of Mrs. Humphrey, seconded by Mr. Warren, the Board simultaneously nominated/appointed/reappointed the following student members to serve on the Youth Services Citizen Board, whose terms are effective immediately and expire June 30, 2005:

<u>Name</u>	<u>District</u>
Marcus Childress	Bermuda
Virginia Fuller	Clover Hill
Toral Gandhi	Clover Hill
Sara Adcock	Clover Hill
Cari Mueller	Clover Hill
Devan Vaughan	Matoaca
Candace Rheinhart	Matoaca
Bryce Burton	Matoaca
Katy Greenly	Dale
Xuan Pham	Dale
Amanda Seymour	Dale
Mary Conkright	Midlothian
Jennifer Barlow	Midlothian
Lauren Edwards	Midlothian
Katie Valentine	Midlothian

And, further, the Board simultaneously nominated/appointed/reappointed the following adult members to serve on the Youth Services Citizen Board, whose terms are effective immediately and expire June 30, 2007:

<u>Name</u>	<u>District</u>
Diann DeLaPena	Bermuda
Jason Cannon	Bermuda
Lynne Foote	Matoaca
Sharon Cason-Card	Midlothian

And, further, the Board simultaneously nominated/appointed Ms. Stephanie Tompkins, representing the Dale District, to serve as an adult member on the Youth Services Citizen Board, whose term is effective immediately and expires June 30, 2006. (It is noted Ms. Tompkins will fill the unexpired term of Ms. Billie Tebbens.)

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.A.2. DISABILITY SERVICES BOARD

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board simultaneously nominated/appointed Ms. Laura L. Hunter, representing the Clover Hill District, to serve on the Disability Services Board, whose term is effective immediately and expires December 31, 2005.

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.B. STREETLIGHT INSTALLATION COST APPROVALS

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board approved the following streetlights:

Clover Hill District

- In the Muirfield Green Subdivision
Intersection of Muirfield Green Drive and Nuttree Woods Drive
Cost to install streetlight: \$4,745.20

Dale District

- Kingsland Road, vicinity of 3815
Cost to install streetlight: \$106.67

Matoaca District

- In the Bayhill Pointe Subdivision
Intersection of Battlecreek Drive and Erika Hill Drive
Cost to install streetlight: \$1,624.27

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.C. CONSENT ITEMS

On motion of Mr. King, seconded by Mr. Warren, the Board removed the following items from the Consent Agenda for public comment: Item 8.C.1.e., Adoption of Resolution Requesting Installation of a No Parking Sign in Monacan Hills Subdivision; Item 8.C.8., Authorization to Adjust Existing Cash Proffers in Previously Approved Zoning Cases by the Marshall and Swift Building Cost Index; Item 8.C.11.e., Request to Aid Lanco Homes in the Acquisition of Offsite Sewer and Temporary Construction Easements for Bendahl Valley, Section A; Item 8.C.18.a.2., Transfer District Improvement Funds from the Clover Hill District Improvement Fund to the Chesterfield County Health Center Commission for the Acquisition and Placement of Artwork; and Item 8.C.19., Initiation of a Zoning Application at Chesterfield Industrial Park.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

8.C.1. ADOPTION OF RESOLUTIONS

8.C.1.a. RECOGNIZING MR. PHILLIP MITCHELL, PURCHASING DEPARTMENT, UPON HIS RETIREMENT

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board adopted the following resolution:

WHEREAS, Mr. Phillip D. Mitchell retired on June 30, 2004 after providing 31 years of dedicated and faithful service to Chesterfield County; and

WHEREAS, Mr. Mitchell began his tenure with the Department of General Services on November 19, 1973 as a Buyer who purchased goods, services, and construction for Chesterfield County Government and Chesterfield County Schools, and performed many other services and duties within the Department of General Services including supervision of the Sanitation Department and the Department of Buildings and Grounds; and

WHEREAS, Mr. Mitchell was promoted to Assistant Director of Purchasing in September 1978 after the Purchasing Department became a separate department from the Department of General Services in January 1978; and

WHEREAS, through study, dedication, and both written and oral examination, Mr. Mitchell received the prestigious honor of being the 230th individual within the United States, Canada, and Great Britain to be awarded the Certified Public Purchasing Officer (CPPO) designation by the National Institute of Governmental Purchasing on October 29, 1980; and

WHEREAS, Mr. Mitchell was instrumental in the development and success of county's first automated financial system known as the Purchasing Encumbrance and Accounts Payable System (PEAP) which became operational in July 1978 and which brought many efficiencies to the financial and procurement operations of the county; and

WHEREAS, Mr. Mitchell was again instrumental in the development and success of the county's current automated financial system which became operational on July 1, 1989; and

WHEREAS, Mr. Mitchell was recognized for his excellent performance and customer service skills within the Purchasing Department by being nominated as the department's Employee of the Year in 1978 and again in 1995; and

WHEREAS, Mr. Mitchell served successfully on many teams and special projects during his tenure with the county which along with his many decisions and actions both as a team member and individual was instrumental and was a contributing factor for the excellence which made it possible for the Purchasing Department on October 25, 1999 to be the eight public procurement entity within the United States, Canada, Ireland, and England and the first locality or state agency in Virginia to receive national accreditation for purchasing excellence by the National Institute of Governmental Purchasing; and

WHEREAS, Mr. Mitchell has faithfully and effectively discharged his duties in each and every capacity with proficiency, dedication, and an unwavering commitment to provide excellent customer service to the many customers which the Purchasing Department serves in both county and school operations; and

WHEREAS, Mr. Mitchell displayed a commitment to duty along with an unwavering commitment to the highest ethical and moral standards while continually seeking to obtain the best value for the taxpayers of Chesterfield County; and

WHEREAS, Mr. Mitchell is the first employee to retire from the Purchasing Department; and

WHEREAS, Mr. Mitchell will be tremendously missed for the quality and caliber of his commitment and performance in the Purchasing Department and to its many customers.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 28th day of July 2004, recognizes Mr. Phillip D. Mitchell and extends its appreciation for his 31 years of dedicated service to the county, congratulations upon his retirement, and best wishes for a long and happy retirement.

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.C.1.b. RECOGNIZING AUGUST 3, 2004, AS "NATIONAL NIGHT OUT" IN CHESTERFIELD COUNTY

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board adopted the following resolution:

WHEREAS, each year in August, communities across the nation band together to demonstrate their unity in the fight against crime; and

WHEREAS, this show of solidarity by law-abiding citizens has been named "National Night Out"; and

WHEREAS, the National Night Out event taking place on August 3, 2004 will be the 21st annual event of this type; and

WHEREAS, last year's National Night Out campaign involved citizens, law enforcement agencies, civic groups, businesses, neighborhood organizations and local officials from 10,000 communities in 50 states, U.S. territories, Canadian cities and military bases worldwide; and

WHEREAS, National Night Out is designed to heighten crime and drug prevention awareness; and

WHEREAS, this event also generates support for, and participation in, local anti-crime programs; and

WHEREAS, National Night Out strengthens neighborhood spirit and the relationships between police and the communities; and

WHEREAS, these events send a message to criminals that the communities are organized and fighting back against crime; and

WHEREAS, Chesterfield County has as one of its strategic goals: "To be the safest and most secure community compared to similar jurisdictions"; and

WHEREAS, National Night Out is an important component in the effort to achieve that goal.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors hereby recognizes August 3, 2004, as "National Night Out" in Chesterfield County, Virginia; thanks police, neighborhood watch groups and all others who have joined to prevent crime; and urges all residents and businesses in Chesterfield County to turn on their porch lights and other exterior lights and to gather with friends and neighbors on August 3, 2004 to demonstrate their unity in the fight against crime.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

8.C.1.c. RECOGNIZING AUGUST 1-7, 2004, AS "INTERNATIONAL CLOWN WEEK"

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board adopted the following resolution:

WHEREAS, clowns have long been known as ambassadors of joy and goodwill; and

WHEREAS, President Richard M. Nixon issued a proclamation establishing National Clown Week in August 1971; and

WHEREAS, the resolution recognized that clowns bring happiness to children and adults around the world; and

WHEREAS, Virginia Alley 3 is a volunteer organization that performs throughout the Greater Richmond area and surrounding counties, brightening the lives of all who are touched by these clowns' gifts of fantasy; and

WHEREAS, in a world where daily headlines and newscasts can bring news of events around the world that are filled with sadness and tragedy, humor and the lighter side of life are valuable commodities; and

WHEREAS, in recognition of the efforts of all clowns to spread their joy and bring laughter, "International Clown Week" has been proclaimed for the week of August 1-7, 2004.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 28th day of July 2004, recognizes the important role that clowns play in bringing smiles, hope and joy to millions of people all across the globe, including here in Virginia, and wishes all Virginia Alley 3 members, and clowns everywhere, continued merriment, and thanks them for the important role they play in society.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

8.C.1.d. RECOGNIZING LIEUTENANT RALPH E. BARTLEY, POLICE DEPARTMENT, UPON HIS RETIREMENT

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board adopted the following resolution:

WHEREAS, Lieutenant Ralph E. Bartley retired from the Chesterfield County Police Department on July 1, 2004, after providing 30 years of quality service to the citizens of Chesterfield County; and

WHEREAS, Lieutenant Bartley faithfully served the county in the capacity of Dispatcher, Patrol Officer, Investigator, Sergeant, and Lieutenant; and

WHEREAS, during his tenure as Sergeant, Lieutenant Bartley served as one of three sergeants designated to manage/supervise large scale search and rescue operations; and

WHEREAS, in February 1998, Lieutenant Bartley was appointed to coordinate a program for department ground search and rescue managers for lost or missing children, Alzheimer's and mentally challenged persons; and

WHEREAS, Lieutenant Bartley co-authored the Domestic Violence Policy and was a member of the Domestic Violence Task Force from 1988 through 1991; and

WHEREAS, Lieutenant Bartley was one of the first members trained as a breathalyzer operator, working in conjunction with the Virginia Alcohol Safety Action Program; and

WHEREAS, Lieutenant Bartley developed the original concept of the Special Response Unit and co-authored the training manual and also served as Commander of the Unit; and

WHEREAS, Lieutenant Bartley served as a member of the Central Virginia Fugitive Task Force from November 1993 to October 1996; chairman of Police Accident Review Board from November 1997 through September 1999; and chairman of the Chesterfield County Joint Accident Review Board from October 1998 through October 1999; and

WHEREAS, Lieutenant Bartley received a Certificate of Achievement for his dedication to duty while serving as a member of the Accreditation Team, which was instrumental in the Police Department becoming fully accredited; and

WHEREAS, Lieutenant Bartley served as the liaison between the Police Department and the courts, Commonwealth's Attorney and Magistrate's Office; and

WHEREAS, Lieutenant Bartley was a 1999 graduate of TQI University; and

WHEREAS, Lieutenant Bartley served as a member of the Chaplains Committee, responsible for managing the training program relevant to their position with the Police Department and has been a member of the Central Virginia Crime Clinic #2 since 1996; and

WHEREAS, Lieutenant Bartley is a charter member of Lodge #47 Fraternal Order of Police; and

WHEREAS, Lieutenant Bartley has received numerous letters of thanks and appreciation for service rendered from the citizens of Chesterfield County and has provided the Chesterfield County Police Department with many years of loyal and dedicated service; and

WHEREAS, Chesterfield County and the Board of Supervisors will miss Lieutenant Bartley's diligent service.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors recognizes Lieutenant Ralph E. Bartley, and extends on behalf of its members and the citizens of Chesterfield County appreciation for his service to the county, congratulations upon his retirement, and best wishes for a long and happy retirement.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

8.C.2. APPROVAL OF A SUPPLEMENTAL AGREEMENT TO THE EXISTING DESIGN CONTRACT WITH THE DESIGN COLLABORATIVE FOR THE MEADOWDALE LIBRARY EXPANSION

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board authorized the County Administrator to execute a Supplemental Agreement, in the amount of \$507,430, with The Design Collaborative for the design of the Meadowdale Library Expansion.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

8.C.3. APPROVAL OF FY2005 CHESTERFIELD COMMUNITY SERVICES BOARD PERFORMANCE CONTRACT

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board approved the FY2005 performance contract between the Chesterfield Community Services Board and the Virginia Department of Mental Health, Mental Retardation, and Substance Abuse Services.

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.C.4. STATE ROAD ACCEPTANCE

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: Addition

Basis for Change: Addition, New subdivision street

Statutory Reference: §33.1-229

Project: Ashley Forest, Sec. C, a portion of

- Black Gum Terrace, State Route Number: 5750

From: Wellspring Rd., (Rt. 5749)

To: Cul-de-sac, a distance of: 0.19 miles.

Right-of-way record was filed on 6/4/2002 with the Office Of Clerk To Circuit Court in Pb. 126; Pg. 76, with
a width of 40 Ft.

- Poplar View Place, State Route Number: 5749

From: Wellspring Rd., (Rt. 5749)

To: Cul-de-sac, a distance of: 0.08 miles.

Right-of-way record was filed on 6/4/2002 with the Office Of Clerk To Circuit Court in Pb. 126; Pg. 76, with a width of 40 Ft.

● **Wellspring Road, State Route Number: 4599**

From: 0.03 Mi. E of Dogwood Ridge Ct., (Rt. 4556)

To: Poplar View Pl., (Rt. 5749), a distance of: 0.31 miles.

Right-of-way record was filed on 9/4/1996 with the Office Of Clerk To Circuit Court in Db. 2924; Pg. 533, with a width of 90 Ft.

● **Wellspring Road, State Route Number: 4599**

From: Poplar View Pl., (Rt. 5749)

To: Black Gum Tr., (Rt. 5750), a distance of: 0.10 miles.

Right-of-way record was filed on 9/4/1996 with the Office Of Clerk To Circuit Court in Db. 2924; Pg. 533, with a width of 90 Ft.

● **Wellspring Road, State Route Number: 4599**

From: Black Gum Tr., (Rt. 5750)

To: 0.05 Mi. E of Black Gum Tr., (Rt. 5750), a distance of: 0.05 miles.

Right-of-way record was filed on 9/4/1996 with the Office Of Clerk To Circuit Court in Db. 2924; Pg.533, with a width of 90 Ft.

● **Wellspring Road, State Route Number: 4599**

From: 0.05 Mi. E of Black Gum Tr., (Rt. 5750)

To: Happy Hill Rd., (Rt. 619), a distance of: 0.09 miles.

Right-of-way record was filed on 9/4/1996 with the Office Of Clerk To Circuit Courts in Db.2924; Pg. 533, with a width of 66 Ft.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **Addition, New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Ivyridge, Section A**

● **Ivyridge Court, State Route Number: 5348**

From: Ivyridge Dr., (Rt. 5319)

To: Cul-de-sac, a distance of: 0.04 miles.

Right-of-way record was filed on 4/17/2000 with the Office Of Clerk To Circuit Court in Pb. 110; Pg. 49,
with a width of 40 Ft.

● **Ivyridge Drive, State Route Number: 5319**

From: Petersburg St., (Rt. 1522)

To: Ivyridge Ct., (Rt. 5348), a distance of: 0.11 miles.

Right-of-way record was filed on 4/17/2000 with the Office Of Clerk To Circuit Court in Pb. 110; Pg. 49,
with a width of 50 Ft.

● **Ivyridge Drive, State Route Number: 5319**

From: Ivyridge Ct., (Rt. 5348)

To: Ivyridge Tn., (Rt. 5349), a distance of: 0.06 miles.

Right-of-way record was filed on 4/17/2000 with the Office Of Clerk To Circuit Court in Pb. 110; Pg. 49,
with a width of 50 Ft.

● **Ivyridge Drive, State Route Number: 5319**

From: Ivyridge Tn., (Rt. 5349)

To: 0.02 Mi. NE of Ivyridge Tn., (Rt. 5349), a distance of: 0.02 miles.

Right-of-way record was filed on 4/17/2000 with the Office Of Clerk To Circuit Court in Pb. 110; Pg. 49,
with a width of 50 Ft.

● **Ivyridge Turn, State Route Number: 5349**

From: Ivyridge Dr., (Rt. 5319)

To: Cul-de-sac, a distance of: 0.02 miles.

Right-of-way record was filed on 4/17/2000 with the Office Of Clerk To Circuit Court in Pb. 110; Pg. 49,
with a width of 40 Ft.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways,

pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **Addition, New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Littlebury, Section 1**

● **Littlebury Court, State Route Number: 5753**

From: Littlebury Dr., (Rt. 5752)

To: Cul-de-sac, a distance of: 0.04 miles.

Right-of-way record was filed on 10/31/2003 with the Office Of Clerk To Circuit Court in Pb. 138; Pg. 70,
with a width of 50 Ft.

● **Littlebury Drive, State Route Number: 5752**

From: Longmeadow Cr., (Rt. 5131)

To: Prindell Ct., (Rt. 5754), a distance of: 0.06 miles.

Right-of-way record was filed on 10/31/2003 with the Office Of Clerk To Circuit Court in Pb. 138; Pg. 70,
with a width of 50 Ft.

● **Littlebury Drive, State Route Number: 5752**

From: Prindell Ct., (Rt. 5754)

To: Littlebury Ct., (Rt. 5753), a distance of: 0.04 miles.

Right-of-way record was filed on 10/31/2003 with the Office Of Clerk To Circuit Court in Pb. 138; Pg. 70,
with a width of 50 Ft.

● **Littlebury Drive, State Route Number: 5752**

From: Littlebury Ct., (Rt. 5753)

To: Quixton Ln., (Rt. 5755), a distance of: 0.06 miles.

Right-of-way record was filed on 10/31/2003 with the Office Of Clerk To Circuit Court in Pb. 138; Pg. 70,
with a width of 50 Ft.

● **Littlebury Drive, State Route Number: 5752**

From: Quixton Ln., (Rt. 5755)

To: 0.02 Mi. E of Quixton Ln., (Rt. 5755), a distance of: 0.02 miles.

Right-of-way record was filed on 10/31/2003 with the Office Of Clerk To Circuit Court in Pb. 138; Pg. 70,
with a width of 50 Ft.

● **Longmeadow Circle, State Route Number: 5131**

From: Somersby Ln., (Rt. 5132)

To: Littlebury Dr., (Rt. 5752), a distance of: 0.25 miles.

Right-of-way record was filed on 10/31/2003 with the Office Of Clerk To Circuit Court in Pb. 138; Pg. 70,
with a width of 60 Ft.

● **Longmeadow Circle, State Route Number: 5131**

From: Littlebury Dr., (Rt. 5752)

To: 0.01 Mi. N of Littlebury Dr., (Rt. 5752), a distance of: 0.01 miles.

Right-of-way record was filed on 10/31/2003 with the Office Of Clerk To Circuit Court in Pb. 138; Pg. 70,
with a width of 60 Ft.

● **Prindell Court, State Route Number: 5754**

From: Littlebury Dr., (Rt. 5752)

To: Cul-de-sac, a distance of: 0.06 miles.

Right-of-way record was filed on 10/31/2003 with the Office Of Clerk To Circuit Court in Pb. 138; Pg. 70,
with a width of 50 Ft.

● **Quixton Lane, State Route Number: 5755**

From: Littlebury Dr., (Rt. 5752)

To: 0.03 Mi. N of Littlebury Dr., (Rt. 5752), a distance of: 0.03 miles.

Right-of-way record was filed on 10/31/2003 with the Office Of Clerk To Circuit Court in Pb. 138; Pg. 70,
with a width of 50 Ft.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk’s Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department’s Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **Addition, New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Oxley**

● **Longmeadow Circle, State Route Number: 5131**

From: Exhall Dr., (Rt. 4697)

To: Oxley Dr., (Rt. 5756), a distance of: 0.13 miles.

Right-of-way record was filed on 8/13/2003 with the Office Of Clerk To Circuit Court in Pb. 135; Pg. 99,

with a width of 50 Ft.

● **Longmeadow Circle, State Route Number: 5131**

From: Oxley Dr., (Rt. 5756)

To: 0.02 Mi. N of Oxley Dr., (Rt. 5756), a distance of: 0.02 miles.

Right-of-way record was filed on 8/13/2003 with the Office Of Clerk To Circuit Court in Pb. 135; Pg. 99,
with a width of 50 Ft.

● **Oxley Court, State Route Number: 5757**

From: Oxley Dr., (Rt. 5756)

To: Cul-de-sac, a distance of: 0.05 miles.

Right-of-way record was filed on 8/13/2003 with the Office Of Clerk To Circuit Court in Pb. 135; Pg. 99,
with a width of 50 Ft.

● **Oxley Court, State Route Number: 5757**

From: Oxley Dr., (Rt. 5756)

To: Cul-de-sac, a distance of: 0.09 miles.

Right-of-way record was filed on 8/13/2003 with the Office Of Clerk To Circuit Court in Pb. 135; Pg. 99,
with a width of 50 Ft.

● **Oxley Drive, State Route Number: 5756**

From: Longmeadow Cr., (Rt. 5131)

To: Oxley Ct., (Rt. 5757), a distance of: 0.08 miles.

Right-of-way record was filed on 8/13/2003 with the Office Of Clerk To Circuit Court in Pb. 135; Pg. 99,
with a width of 50 Ft.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **Addition, New subdivision street**

Statutory Reference: §33.1-229

Project: Kings Farm at Riverdowns

● **Pond Chase Drive, State Route Number: 5742**

From: Cotesworth Wy., (Rt. 5741)

To: Cul-de-sac, a distance of: 0.10 miles.

Right-of-way record was filed on 10/10/2001 with the Office Of Clerk To Circuit Court in Pb.121; Pg. 8, with a width of 40 Ft.

● **Pond Chase Drive, State Route Number: 5742**

From: Cotesworth Wy., (Rt. 5741)

To: 0.01 Mi. S of Cotesworth Wy., (Rt. 5741), a distance of: 0.01 miles.

Right-of-way record was filed on 10/10/2001 with the Office Of Clerk To Circuit Court in Pb.121; Pg. 8, with a width of 40 Ft.

● **Cotesworth Way, State Route Number: 5741**

From: Kings Farm Dr., (Rt. 5739)

To: Pond Chase Dr., (Rt. 5742), a distance of: 0.11 miles.

Right-of-way record was filed on 10/10/2001 with the Office Of Clerk To Circuit Court in Pb.121; Pg. 8, with a width of 50 Ft.

● **Kings Farm Court, State Route Number: 5740**

From: Kings Farm Dr., (Rt. 5739)

To: Cul-de-sac, a distance of: 0.12 miles.

Right-of-way record was filed on 10/10/2001 with the Office Of Clerk To Circuit Court in Pb.121; Pg. 8, with a width of 50 Ft.

● **Kings Farm Drive, State Route Number: 5739**

From: Robious Rd., (Rt. 711)

To: Cotesworth Wy., (Rt. 5741), a distance of: 0.22 miles.

Right-of-way record was filed on 10/10/2001 with the Office Of Clerk To Circuit Court in Pb.121; Pg. 8, with a width of 50 Ft.

● **Kings Farm Drive, State Route Number: 5739**

From: Cotesworth Wy., (Rt. 5741)

To: Kings Farm Ct., (Rt. 5740), a distance of: 0.07 miles.

Right-of-way record was filed on 10/10/2001 with the Office Of Clerk To Circuit Court in Pb.121; Pg. 8, with a width of 40 Ft.

● **Kings Farm Drive, State Route Number: 5739**

From: Kings Farm Ct., (Rt. 5740)

To: Riverdowns South Dr., (Rt. 5744), a distance of: 0.13 miles.

Right-of-way record was filed on 10/10/2001 with the Office Of Clerk To Circuit Court in Pb.121; Pg. 8, with a width of 40 Ft.

● **Kings Farm Drive, State Route Number: 5739**

From: Riverdowns South Dr., (Rt. 5744)

To: 0.01 Mi. S of Riverdowns South Dr., (Rt. 5744), a distance of: 0.01 miles.

Right-of-way record was filed on 10/10/2001 with the Office Of Clerk To Circuit Court in Pb.121; Pg. 8,

with a width of 40 Ft.

● **Pond Chase Place, State Route Number: 5743**

From: Pond Chase Dr., (Rt. 5742)

To: Cul-de-sac, a distance of: 0.05 miles.

Right-of-way record was filed on 10/10/2001 with the Office Of Clerk To Circuit Court in Pb.121; Pg. 8,
with a width of 40 Ft.

● **Riverdowns South Drive, State Route Number: 5744**

From: Kings Farm Dr., (Rt. 5739)

To: Robious Rd., (Rt. 711), a distance of: 0.32 miles.

Right-of-way record was filed on 10/10/2001 with the Office Of Clerk To Circuit Court in Pb.121; Pg. 8,
with a width of 50 Ft.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **Addition, New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Lenox Forest at Riverdowns, Section 2**

● **Forest Creek Drive, State Route Number: 5736**

From: 0.04 Mi. E of Lenox Forest Dr., (Rt. 5733)

To: Riverdowns North Dr., (Rt. 5745), a distance of: 0.07 miles.

Right-of-way record was filed on 2/7/2003 with the Office Of Clerk To Circuit Court in Pb. 132; Pg. 3, with
a width of 40 Ft.

● **Planters Walk Court, State Route Number: 5748**

From: Planters Walk Dr., (Rt. 5734)

To: Cul-de-sac, a distance of: 0.05 miles.

Right-of-way record was filed on 2/7/2003 with the Office Of Clerk To Circuit Court in Pb. 132; Pg. 3, with

a width of 40 Ft.

● **Planters Walk Drive, State Route Number: 5734**

From: 0.08 Mi. E of Lenox Forest Dr., (Rt. 5733)

To: Planters Walk Ct., (Rt. 5748), a distance of: 0.04 miles.

Right-of-way record was filed on 2/7/2003 with the Office Of Clerk To Circuit Court in Pb. 132; Pg. 3, with
a width of 40 Ft.

● **Planters Walk Drive, State Route Number: 5734**

From: Planters Walk Ct., (Rt. 5748)

To: Cul-de-sac, a distance of: 0.05 miles.

Right-of-way record was filed on 2/7/2003 with the Office Of Clerk To Circuit Court in Pb. 132; Pg. 3, with
a width of 40 Ft.

● **Riverdowns North Court, State Route Number: 5746**

From: Riverdowns North Dr., (Rt. 5745)

To: Cul-de-sac, a distance of: 0.04 miles.

Right-of-way record was filed on 2/7/2003 with the Office Of Clerk To Circuit Court in Pb. 132; Pg. 3, with
a width of 40 Ft.

● **Riverdowns North Drive, State Route Number: 5745**

From: Forest Creek Dr., (Rt. 5736)

To: Riverdowns North Mw., (Rt. 5747), a distance of: 0.11 miles.

Right-of-way record was filed on 2/7/2003 with the Office Of Clerk To Circuit Court in Pb. 132; Pg. 3, with
a width of 54 Ft.

● **Riverdowns North Drive, State Route Number: 5745**

From: Riverdowns North Mw., (Rt. 5747)

To: Riverdowns North Ct., (Rt. 5746), a distance of: 0.15 miles.

Right-of-way record was filed on 2/7/2003 with the Office Of Clerk To Circuit Court in Pb. 132; Pg. 3, with
a width of 54 Ft.

● **Riverdowns North Drive, State Route Number: 5745**

From: Robious Rd., (Rt. 711)

To: Riverdowns North Ct., (Rt. 5746), a distance of: 0.11 miles.

Right-of-way record was filed on 2/7/2003 with the Office Of Clerk To Circuit Court in Pb. 132; Pg. 3, with
a width of Variable

● **Riverdowns North Mews, State Route Number: 5747**

From: Riverdowns North Dr., (Rt. 5745)

To: Cul-de-sac, a distance of: 0.06 miles.

Right-of-way record was filed on 2/7/2003 with the Office Of Clerk To Circuit Court in Pb. 132; Pg. 3, with
a width of 40 Ft.

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.C.5. TRANSFER OF FUNDS FROM THE RESERVE FOR CAPITAL PROJECTS AND FROM AN EXISTING CAPITAL PROJECT BUDGET TO FINANCE PRE-DEVELOPMENT STUDIES FOR CLOVERLEAF MALL

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board transferred \$65,000 from the Reserve for Capital Projects and \$20,000 from an existing capital project budget to finance pre-development studies for Cloverleaf Mall.

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.C.6. ACCEPTANCE OF GRANT AND APPROPRIATION OF FUNDS FOR THE COMMUNITY SERVICES BOARD TO SUPPORT PREVENTION ACTIVITIES FOR PARENTS AND THEIR CHILDREN

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board accepted and appropriated \$58,731 for a Strengthening Families Initiative grant awarded by the State Department of Mental Health, Mental Retardation, and Substance Abuse. (It is noted no local cash match is required.)

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.C.7. CREATION OF TWO SENIOR ENGINEER POSITIONS, APPROPRIATION OF FUNDS IN ADDITIONAL REVENUE, AND SET A PUBLIC HEARING ON A PROPOSED ORDINANCE AMENDMENT RELATING TO DEPARTMENT OF ENVIRONMENTAL ENGINEERING FEE CHANGE

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board approved the creation of two senior engineer positions, appropriated \$74,000 in additional plans review revenue, and set the date of August 25, 2004 at 7:00 p.m. for a public hearing to consider an ordinance amendment relating an Environmental Engineering fee change.

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.C.9. SET A PUBLIC HEARING TO CONSIDER THE APPROPRIATION OF FUNDS IN FEDERAL TITLE IV-E REVENUE MAXIMIZATION FUNDS

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board set the date of August 25, 2004 at 7:00 p.m. for a public hearing to consider the appropriation of Federal Title IV-E revenue maximization funds.

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

**8.C.10. CHANGES IN THE SECONDARY SYSTEM OF STATE HIGHWAYS,
HENSLEY ROAD AND SPRINGFORD PARKWAY**

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board adopted the following resolution for changes in the Secondary System of State Highways:

WHEREAS, a sketch has been prepared for the Board of Supervisors which depicts an abandonment required in the secondary system of state highways as a result of the relocation of a portion of Hensley Road, State Route 659, which sketch is incorporated herein by reference; and

WHEREAS, the portion of Hensley Road, State Route 659, identified to be abandoned no longer serves a public need; and

WHEREAS, a portion of Hensley Road has been relocated and serves the same citizens as the portion of Hensley Road, State Route 659, identified to be abandoned.

NOW THEREFORE, BE IT RESOLVED, that the Board of Supervisors hereby orders the portion of road identified as segment C-D, Hensley Road, State Route 659, a distance of 0.24 miles, Hensley Road, State Route 659, as shown on the incorporated sketch abandoned as part of the secondary system of state highways, pursuant to §33.1-155, Code of Virginia.

AND, BE IT FURTHER RESOLVED, that the Board of Supervisors does hereby request that the Commonwealth Transportation Commissioner certify, in writing, that the portion of Hensley Road hereby abandoned is no longer deemed necessary for uses of the secondary system of state highways pursuant to §33.1-154 of the Code of Virginia, 1950, as amended.

Type Change to the Secondary System of State Highways:
Abandonment

Basis for Change: Deduction, Abandonment, §33.1-155
(Project related)

Statutory Reference: §33.1-155

Project: Hensley Road

- **Hensley Road, State Route Number: 659**
- **Description:**

From: 1.02 Miles North of Beach Road, (Rt. 655)

To: 1.54 Miles South of Spring Run Road, (Rt. 654), a distance of 0.24 miles.

AND WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office, Circuit Court, Chesterfield County, Virginia; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised the Board of Supervisors that these streets meet the requirements

established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW THEREFORE, BE IT RESOLVED, that the Board of Supervisors requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that the Board of Supervisors guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways:
Addition

Basis for Change: **Addition, New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Springford Parkway**

- **Springford Parkway, State Route Number: 5250**
- Description:

From: 0.01 Miles East of Summerford Drive, (Rt. 5255)

To: 0.65 Miles East of Summerford Drive, (Rt. 5255),
 a distance of 0.64 miles.

Right-of-way was recorded October 3, 2001 in the Clerk's Office, Circuit Court in Deed Book 4249, Page 365, with a variable width; and, on January 16, 1991 in Plat Book 74, Pages 10-15, with a width of 90 feet.

- Description:

From: 0.65 Miles East of Summerford Drive, (Rt. 5255)

To: 0.80 Miles East of Summerford Drive, (Rt. 5255), a distance of 0.15 miles.

Right-of-way was recorded October 3, 2001 in the Clerk's Office, Circuit Court in Deed Book 4249, Page 365, with a variable width; on July 15, 2003 in Deed Book 5222, Page 398, with a variable width; on March 7, 2001 in Deed Book 4019, Page 469, with a variable width; and, on August 9, 1994 in Plat Book 85, Pages 18-21, with a variable width.

Project: **Hensley Road**

- **Hensley Road, State Route Number: 659**
- Description:

From: 1.02 Miles North of Beach Road, (Rt. 655)
To: 1.13 Miles North of Beach Road, (Rt. 655), a
distance of 0.11 miles

Right-of-way was recorded March 7, 2001 in the Clerk's Office, Circuit Court in Deed Book 4019, Page 469, with a variable width; on October 3, 2001 in Deed Book 4249, Page 365, with a variable width; on June 2, 1994 in Deed Book 2539, Page 253, with a width of 30'; on July 15, 2003 in Deed Book 5222, Page 398, with a variable width; and, on August 9, 1994 in Plat Book 85, Pages 18-21, with a width of 30 feet.

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.C.11. ACCEPTANCE OF PARCELS OF LAND

8.C.11.a. FOR THE EXTENSION OF WALMART WAY

8.C.11.a.1. FROM THE TRUSTEE FOR SAM'S REAL ESTATE BUSINESS TRUST

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board accepted the conveyance of a parcel of land containing 0.497 acres for the extension of Walmart Way from the Trustee for Sam's Real Estate Business Trust, and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.C.11.a.2. FROM WESLEY C. STIGALL, JR. AND JEANNE L. STIGALL

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board accepted the conveyance of two parcels of land containing a total of 0.500 acres for the extension of Walmart Way from Wesley C. Stigall, Jr. and Jeanne L. Stigall, and authorized the County Administrator to execute the deed. (It is noted copies of the plats are filed with the papers of this Board.)

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.C.11.a.3. FROM WESLEY C. STIGALL, JR.

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board accepted the conveyance of a parcel of land containing 0.200 acres for the extension of Walmart Way from Wesley C. Stigall, Jr., and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.C.11.a.4. FROM VIRGINIA ELECTRIC AND POWER COMPANY

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board accepted the conveyance of two parcels of land containing a total of 0.910 acres for the extension of Walmart Way from Virginia Electric and Power Company, and authorized the County Administrator to execute the deed. (It is noted copies of the plats are filed with the papers of this Board.)

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

8.C.11.a.5. FROM THE TRUSTEE FOR WAL-MART REAL ESTATE BUSINESS TRUST

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board accepted the conveyance of a parcel of land containing 0.089 acres for the extension of Walmart Way from the Trustee for Wal-Mart Real Estate Business Trust, and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

8.C.11.a.6. FROM CONREAL, LLC

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board accepted the conveyance of two parcels of land containing a total of 0.242 acres for the extension of Walmart Way from Conreal, LLC, and authorized the County Administrator to execute the deed. (It is noted copies of the plats are filed with the papers of this Board.)

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

8.C.11.b. ALONG THE WEST RIGHT OF WAY LINE OF WINTERFIELD ROAD FROM ATTACK PROPERTIES, INCORPORATED

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board accepted the conveyance of a parcel of land containing 0.177 acres along the west right of way line of Winterfield Road (State Route 714) from Attack Properties, Incorporated, and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

8.C.11.c. FOR BATTERY DANTZLER ROAD AND BATTERY DANTZLER COURT FROM BERMUDA TRIANGLE PROPERTY, LP

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board accepted the conveyance of parcels of land containing a total of 2.341 acres for Battery Dantzler Road and Battery Dantzler Court from Bermuda Triangle Property, LP, and authorized the County Administrator to execute the deed. (It is noted copies of the plats are filed with the papers of this Board.)

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.C.11.d. FOR OAKLAKE CREST WAY FROM WILLIAM B. AND GENE H. DUVAL

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board accepted the conveyance of a parcel of land containing 0.362 acres for Oaklake Crest Way from William B. and Gene H. DuVal, subject to the posting of a performance bond for Oaklake Crest Way, and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.C.11.f. FOR THE EXTENSION OF BATTERY DANTZLER ROAD FROM ARCHIE L. LYNCH

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board accepted the conveyance of a parcel of land containing 0.043 acres for the extension of Battery Dantzler Road (State Route 975) from Archie L. Lynch, and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.C.12. APPROVAL OF UTILITY CONTRACTS

8.C.12.a. FOR COUNTRYSIDE CHRISTIAN CHURCH

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board approved the following utility contract for Countryside Christian Church, Contract Number 04-0044, which includes an offsite extension of 770 L.F. + of 12-inch water lines and an off-site extension of 485 L.F. + of eight-inch wastewater lines:

Developer: Countryside Christian Church
Contractor: Lyttle Utilities Inc.
Contract Amount:
 Estimated County Cost for Offsite (Water). . . . \$4,939.00
 Estimated Developer Cost (Water) \$229,591.00
 Estimated Total (Water). \$234,530.00

Estimated County Cost for Offsite	
(Wastewater).	\$2,014.65
Estimated Developer Cost (Wastewater).	\$54,883.35
Estimated Total (Wastewater)	\$56,898.00

Code: Refunds thru Connections - Offsite	
(Water)	5B-572VO-E4D
Refunds thru Connections - Offsite	
(Wastewater)	5N-572VO-E4D

District: Clover Hill

(It is noted a copy of the vicinity sketch is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.C.12.b. FOR FOXFIELD SUBDIVISION

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board approved the following utility contract for Foxfield Subdivision, Contract Number 01-0317, which includes an offside extension of 2,108 L.F. + of 16-inch oversized water lines and 1,556 L.F. + of offsite water lines:

Developer:	Dart LLC
Contractor:	Lyttle Utilities Inc.
Contract Amount:	
Estimated County Cost for Oversizing	\$38,858.00
Estimated County Cost for Offsite.	\$25,531.00
Estimated Developer Cost	\$403,270.40
Estimated Total.	\$467,659.40

Code: Refunds thru Connections - Oversizing	5B-572VO-E4C
Refunds thru Connections- Offsite	5B-572VO-E4D

District: Matoaca

(It is noted a copy of the vicinity sketch is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.C.13. REQUESTS FOR PERMISSION

8.C.13.a. FROM GRANT AND EBONY TURNER FOR AN EXISTING DECK TO ENCROACH WITHIN A SIXTEEN-FOOT SEWER EASEMENT ACROSS LOT 6, CLOVERHILL ESTATES

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board approved a request from Grant and Ebony Turner for permission for an existing deck to encroach within a 16-foot sewer easement across Lot 6, Cloverhill Estates, subject to the execution of a license agreement. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

**8.C.13.b. FROM HENRY A. AND LINDA O. STEINRUCK FOR AN
EXCEPTION TO THE USE OF PUBLIC WATER FOR A
PROPOSED RESIDENTIAL STRUCTURE LOCATED ON GREGORY
POND ROAD**

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board approved a request from Henry A. and Linda O. Steinruck for an exception to the use of public water for a proposed residential structure located at 3510 Gregory Pond Road. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

**8.C.13.c. FROM STEVEN D. BARKER AND TERESA L. HARRISON TO
INSTALL A PRIVATE SEWER SERVICE WITHIN A PRIVATE
EASEMENT TO SERVE PROPERTY ON OLD CENTRALIA ROAD**

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board approved a request from Steven D. Barker and Teresa L. Harrison for permission to install a private sewer service within a private easement to serve property at 11310 Old Centralia Road and authorized the County Administrator to execute the sewer connection agreement. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

**8.C.13.d. FROM BRECKENRIDGE ASSOCIATES LLC FOR CONCRETE
STAIRS AND A CONCRETE COMPACTOR PAD TO ENCROACH
WITHIN A SIXTEEN-FOOT WATER EASEMENT ACROSS THE
PROPERTY OF BRECKENRIDGE ASSOCIATES LLC**

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board approved a request from Breckenridge Associates LLC for concrete stairs and a concrete compactor pad to encroach within a 16-foot water easement across its property at 12700 Jefferson Davis Highway, subject to the execution of a license agreement. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

**8.C.13.e. FROM DANIEL R. AND WENDY R. HERMES TO INSTALL A
PRIVATE WATER SERVICE WITHIN A PRIVATE EASEMENT TO
SERVE PROPERTY ON BAILEY BRIDGE ROAD**

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board approved a request from Daniel R. Hermes and Wendy R. Hermes for permission to install a private water service within a private easement to serve property at 12410 Bailey Bridge Road and authorized the County Administrator to execute the

water connection agreement. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.C.13.g. FROM JERALD THOMAS LIPFORD TO INSTALL A PRIVATE SEWER FORCE MAIN LINE WITHIN A PRIVATE EASEMENT TO SERVE PROPERTY ON PARKER LANE

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board approved a request from Jerald Thomas Lipford for permission to install a private sewer force main line within a private easement to serve property at 12300 Parker Lane, and authorized the County Administrator to execute the sewer connection agreement. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.C.14. AWARD OF CONSTRUCTION CONTRACTS

8.C.14.a. TO BRYANT ELECTRIC COMPANY, INCORPORATED FOR THE BAILEY BRIDGE FORCE MAIN - PHASE I COUNTY PROJECT

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board awarded a construction contract for Bailey Bridge Force Main - Phase I, County Project Number 01-0204, to Bryant Electric Company, Incorporated in the amount of \$3,545,014, and authorized the County Administrator to execute the necessary documents.

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.C.14.b. TO W. L. HAILEY AND COMPANY, INCORPORATED FOR THE BAILEY BRIDGE FORCE MAIN - PHASE II COUNTY PROJECT

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board awarded a construction contract for Bailey Bridge Force Main - Phase II, County Project Number 01-0204, to W. L. Hailey and Company, Incorporated, in the amount of \$2,509,942.50, and authorized the County Administrator to execute the necessary documents.

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.C.14.c. TO NATIONAL GUNITE INCORPORATED FOR REPAIRS TO THE FALLING CREEK DAM

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board awarded a construction contract for repairs to the Falling Creek Dam to National Gunitite Incorporated, in the amount of

\$143,815, and authorized the County Administrator to execute the necessary documents.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

**8.C.14.d. TO TRANSDYN CONTROLS, INCORPORATED FOR THE
WASTEWATER SUPERVISORY CONTROL AND DATA
ACQUISITION (SCADA) SYSTEM AND TRANSFER OF FUNDS**

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board awarded a construction contract for the Wastewater Supervisory Control and Data Acquisition (SCADA) System to Transdyn Controls, Incorporated, in the amount of \$1,636,172; transferred \$600,000 from 5P-58350-030027R to 5P-58350-030029R; transferred \$436,172 from 5P-58350-010204E to 5P-58350-030029R; and authorized the County Administrator to execute the necessary documents.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

**8.C.15. APPROVE CHANGE ORDER NUMBER TWO FOR CONTRACT WITH
BLACK AND VEATCH TO COMPLETE THE UTILITY RATE MODEL**

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board approved Change Order number two, in the amount of \$30,500, to the contract with Black and Veatch to complete the utility rate model.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

8.C.16. RENEWAL OF LEASES OF PROPERTY

8.C.16.a. FOR THE CONSTRUCTION MANAGEMENT OFFICE

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board approved a lease with CS Development, Incorporated for 2,000 square feet of office space at Court Square for the Construction Management Office, and authorized the County Administrator to execute the lease agreement.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

8.C.16.b. FOR THE OFFICE OF THE COUNTY REGISTRAR

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board approved a lease with CS Development, Incorporated for 5,000 square feet of office space at Court Square for the Office of the County Registrar, and authorized the County Administrator to execute the lease agreement.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

8.C.17. CONVEYANCE OF AN EASEMENT TO VIRGINIA ELECTRIC AND POWER COMPANY FOR THE RELOCATION OF UNDERGROUND CABLE FOR THE CONSTRUCTION OF A NEW PARKING LOT AT ROBIOUS MIDDLE SCHOOL

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board authorized the Chairman of the Board of Supervisors and the County Administrator to execute an easement agreement with Virginia Electric and Power Company for the relocation of underground cable for the construction of a new parking lot at Robious Middle School. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

8.C.18. TRANSFER OF DISTRICT IMPROVEMENT FUNDS

8.C.18.a. FROM THE CLOVER HILL DISTRICT IMPROVEMENT FUND

8.C.18.a.1. TO THE SCHOOL BOARD TO PURCHASE AND INSTALL A MESSAGE BOARD AT PROVIDENCE ELEMENTARY SCHOOL

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board transferred \$3,000 from the Clover Hill District Improvement Fund to the School Board to purchase and install a message board at Providence Elementary School.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

8.C.18.b. FROM THE CLOVER HILL, DALE AND MIDLOTHIAN DISTRICT IMPROVEMENT FUNDS

8.C.18.b.1. TO THE PARKS AND RECREATION DEPARTMENT FOR AN AFTER-SCHOOL PROGRAM AT CHALKLEY ELEMENTARY SCHOOL

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board transferred a total of \$6,000 (\$1,000 from Clover Hill, \$2,500 from Dale, and \$2,500 from Midlothian) in District Improvement Funds to the Parks and Recreation Department for an after-school program at Chalkley Elementary School.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

8.C.18.b.2. TO THE SENIOR CENTER, INCORPORATED

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board transferred a total of \$7,000 (\$2,000 from Dale, \$2,500 from Clover Hill, and \$2,500 from Midlothian) in District Improvement Funds to the Contributions Account for a donation to the Senior Center, Incorporated.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

8.C.18.c. FROM THE BERMUDA, CLOVER HILL, DALE, MATOACA AND MIDLOTHIAN DISTRICT IMPROVEMENT FUNDS TO THE CHESTERFIELD COUNTY TRIAD PROGRAM

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board transferred a total of \$2,000 (\$400 each) from the Dale, Matoaca, Clover Hill, Midlothian and Bermuda District Improvement Funds to the Chesterfield County TRIAD Program.

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.C.18.d. FROM THE MIDLOTHIAN DISTRICT IMPROVEMENT FUND TO THE POLICE AND PARKS AND RECREATION DEPARTMENTS AND TO THE SCHOOL BOARD TO DEFRAY THE COSTS OF THE MIDLOTHIAN VILLAGE DAY FESTIVAL

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board transferred \$1,755 from the Midlothian District Improvement Fund to the Police and Parks and Recreation Departments and to the School Board to rent space and equipment and to provide services for the Midlothian Village Day Festival.

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

8.C.18.e. FROM THE BERMUDA, DALE, MATOACA AND MIDLOTHIAN DISTRICT IMPROVEMENT FUNDS TO THE CHESTERFIELD COUNTY HEALTH CENTER COMMISSION TO DEFRAY EXPENSES FOR THE OPERATION AND DEVELOPMENT OF THE "FESTIVAL FOR ALL AGES"

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board transferred a total of \$2,000 (\$500 each) from the Bermuda, Dale, Matoaca and Midlothian District Improvement Funds to the Chesterfield County Health Center Commission to defray expenses for the operation and development of the "Festival For All Ages."

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

The following items were removed from the Consent Agenda for public discussion:

8.C.1.e. REQUESTING INSTALLATION OF A NO PARKING SIGN IN MONACAN HILLS SUBDIVISION

Mr. George Beadles expressed concerns relative to insufficient parking at the county's high schools. He suggested that the zoning ordinance include a provision relative to the number of parking spaces at high schools.

No one else came forward to address the issue.

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board adopted the following resolution:

WHEREAS, roadside parking on McCauliff Drive and McCauliff Court are causing unsafe conditions for children walking to school bus stops; and

WHEREAS, the County has received a petition requesting the installation of a "RESIDENT PARKING ONLY 7:00 AM - 9:30 AM SCHOOL DAYS" along those streets; and

WHEREAS, it is the desire of the County that the danger to the school children be reduced.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors hereby requests the Commissioner to install "RESIDENT PARKING ONLY 7:00 AM - 9:30 AM SCHOOL DAYS" at the intersection of McCauliff Drive and Coralberry Drive facing east, for the health and safety of the citizens.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

8.C.8. AUTHORIZATION TO ADJUST EXISTING CASH PROFFERS IN PREVIOUSLY APPROVED ZONING CASES BY THE MARSHALL AND SWIFT BUILDING COST INDEX

Mr. George Beadles expressed concerns that the Board did not increase cash proffers for two years and that a list was not provided of the zoning cases that would be subject to a cumulative two-year adjustment and those that would require a one-year adjustment.

No one else came forward to address the issue.

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board authorized staff to adjust existing cash proffers in previously approved zoning cases by the increase in the Marshall and Swift Building Cost Index. (It is noted the increase will vary depending on the specific zoning case and the applicable period since the index was last applied.)

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

8.C.11.e. TO AID LANCO HOMES IN THE ACQUISITION OF OFFSITE SEWER AND TEMPORARY CONSTRUCTION EASEMENTS FOR BENDAHL VALLEY, SECTION A

Mr. George Beadles stated he does not feel the county should assist in the acquisition of easements for private developers. He further stated the agenda item did not indicate how much acreage was being acquired and a map was not provided showing the location of the easements.

No one else came forward to address the issue.

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board authorized Right of Way staff to aid Lanco Homes in the

acquisition of sewer and temporary construction easements to serve Bendahl Valley, Section A, subject to the developer executing a contract agreeing to pay all costs.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

8.C.18.a.2. TRANSFER OF DISTRICT IMPROVEMENT FUNDS FROM THE CLOVER HILL DISTRICT IMPROVEMENT FUND TO THE CHESTERFIELD COUNTY HEALTH CENTER COMMISSION FOR THE ACQUISITION AND PLACEMENT OF ARTWORK

Mr. George Beadles pointed out that the request in the District Improvement Fund application included self-heal bulletin boards and a fish tank in addition to the project for which the Board is being requested in the agenda item to transfer funds - acquiring and displaying artwork.

No one else came forward to address the issue.

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board transferred \$1,000 from the Clover Hill District Improvement Fund to the Chesterfield County Health Center Commission to acquire and display artwork at Lucy Corr Village.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

8.C.19. INITIATION OF A ZONING APPLICATION AT THE CHESTERFIELD INDUSTRIAL PARK

Mr. King stated he owns Kings Korner Enterprises, Incorporated, which leases space at the Airport, that could be affected by the rezoning; therefore, he is declaring a conflict of interest under the Virginia Conflict of Interest Act regarding this request, and excused himself from the meeting.

Mr. George Beadles stated he believes the county should pay for the cost of the zoning application with District Improvement Funds. He further stated contractors' offices are located in the Industrial Park that have not had the required zoning and expressed concerns that enforcement action has not taken place.

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board initiated an amendment to a previously granted Conditional use and Conditional Use Planned Development (Case 91SN0222) to delete restrictions on outside storage and initiated an application for a Conditional Use Permit to permit contractors' offices, display rooms and outside storage in the area generally known as the Chesterfield Industrial Park.

And further, the Board appointed Ms. Karen Aylward, Project Manager, Economic Development, as the Board's agent for the zoning application, and authorized double advertising of the application.

Ayes: Miller, Humphrey and Warren.

Nays: None.

Absent: Barber and King.

Mr. King returned to the meeting.

9. HEARINGS OF CITIZENS ON UNSCHEDULED MATTERS OR CLAIMS

There were no hearings of citizens on unscheduled matters or claims at this time.

10. REPORTS

10.A. REPORT ON THE DEVELOPER WATER AND SEWER CONTRACTS

10.B. REPORT ON THE STATUS OF GENERAL FUND BALANCE, RESERVE FOR FUTURE CAPITAL PROJECTS, DISTRICT IMPROVEMENT FUNDS AND LEASE PURCHASES

10.C. ROADS ACCEPTED INTO THE STATE SECONDARY SYSTEM

10.D. SUBSTANTIAL ACCORD DETERMINATION REPORT ON MATOACA MIDDLE SCHOOL ANNEX (CASE 04PD0316)

On motion of Mrs. Humphrey, seconded by Mr. Warren, the Board accepted the following reports: a Report on Developer Water and Sewer Contracts; a Report on the Status of General Fund Balance, Reserve for Future Capital Projects, District Improvement Funds and Lease Purchases; and a Substantial Accord Determination Report on Matoaca Middle School Annex (Case 04PD0316).

And, further, the following roads were accepted into the State Secondary System:

<u>ADDITION</u>	<u>LENGTH</u>
<u>BROADWATER TOWNHOMES</u> (Effective 5/14/2004)	
Broadwater Lane (Route 5629) - From Broadwater Way (Route 5630) to Timsberry Circle (Route 5627)	0.08 Mi.
Broadwater Way (Route 5630) - From Broadwater Lane (Route 5629) to 0.03 mile north of Broadwater Lane (Route 5629)	0.03 Mi.
Broadwater Way (Route 5630) - From Broadwater Road (Route 3468) to Broadwater Lane (Route 5629)	0.07 Mi.
Timsberry Circle (Route 5627) - From Broadwater Road (Route 3468) to Broadwater Lane (Route 5629)	0.05 Mi.
Timsberry Circle (Route 5627) - From Broadwater Road (Route 3468) to Timsberry Terrace (Route 5628)	0.12 Mi.
Timsberry Circle (Route 5627) - From Broadwater Lane (Route 5629) to 0.05 mile northwest of Broadwater Lane (Route 5629)	0.05 Mi.
Timsberry Circle (Route 5627) - From Timsberry Terrace (Route 5628) to cul-de-sac	0.02 Mi.

Timsberry Terrace (Route 5628) - From Broadwater Road (Route 3468) to Timsberry Circle (Route 5627)	0.08 Mi.
---	----------

BROOKSTONE, SECTION C
(Effective 5/14/2004)

Abbots Ridge Court (Route 5704) - From Fox Hurst Drive (Route 4143) to cul-de-sac	0.04 Mi.
---	----------

Abbots Wood Terrace (Route 5705) - From Fox Hurst Drive (Route 4143) to cul-de-sac	0.09 Mi.
--	----------

Fox Hurst Court (Route 5703) - From Fox Hurst Drive (Route 4143) to cul-de-sac	0.03 Mi.
--	----------

Fox Hurst Drive (Route 4143) - From Fox Hurst Court (Route 5703) to Abbots Ridge Court (Route 5704) and Abbots Wood Terrace (Route 5705)	0.07 Mi.
--	----------

Fox Hurst Drive (Route 4143) - From 0.04 mile south of Derby Ridge Way (Route 4124) to Fox Hurst Court (Route 5703)	0.05 Mi.
---	----------

Fox Hurst Drive (Route 4143) - From Abbots Ridge Court (Route 5704) and Abbots Wood Terrace (Route 5705) to cul-de-sac	0.03 Mi.
--	----------

Fox Hurst Terrace (Route 5702) - From Fox Hurst Drive (Route 4143) to cul-de-sac	0.08 Mi.
--	----------

FOXFIRE, SECTION 6
(Effective 5/14/2004)

Fox Cove Circle (Route 5613) - From 0.01 mile south of Marsh Light Lane (Route 5612) to Fox Cove Terrace (Route 5699)	0.23 Mi.
---	----------

Fox Cove Circle (Route 5613) - From Fox Cove Terrace (Route 5699) to 0.01 mile north of Fox Cove Terrace (Route 5699)	0.01 Mi.
---	----------

Fox Cove Terrace (Route 5699) - From Fox Cove Circle (Route 5613) to cul-de-sac	0.18 Mi.
---	----------

GREGORYS CHARTER, SECTION D
(Effective 5/21/2004)

Gregorys Charter Drive (Route 3745) - From 0.03 mile east of Lynchester Drive (Route 910) to cul-de-sac	0.11 Mi.
---	----------

MACANDREW GLEN, SECTION 1
(Effective 5/21/2004)

Eastfair Drive (Route 5186) - From Lyndenwood Drive (Route 5684) to 0.05 mile east of Lyndenwood Drive (Route 5684)	0.05 Mi.
---	----------

Eastfair Drive (Route 5186) - From 0.05 mile east of Sterling Cove Drive (Route 5198) to Lyndenwood Drive (Route 5684)	0.14 Mi.
--	----------

Lyndenwood Drive (Route 5684) - From Eastfair Drive (Route 5186) to Macandrew Lane (Route 5685) 0.08 Mi.

Lyndenwood Drive (Route 5684) - From Macandrew Lane (Route 5685) to Sterling Drive (Route 5686) 0.42 Mi.

Macandrew Lane (Route 5685) - From Lyndenwood Drive (Route 5684) to cul-de-sac 0.09 Mi.

Macandrew Lane (Route 5685) - From Lyndenwood Drive (Route 5684) to 0.06 mile east of Lyndenwood Drive (Route 5684) 0.06 Mi.

Noltland Court (Route 5687) - From Sterling Drive (Route 5686) to cul-de-sac 0.08 Mi.

Sterling Drive (Route 5686) - From Lyndenwood Drive (Route 5684) to 0.04 mile west of Lyndenwood Drive (Route 5684) 0.04 Mi.

Sterling Drive (Route 5686) - From Lyndenwood Drive (Route 5684) to Noltland Court (Route 5687) 0.11 Mi.

Sterling Drive (Route 5686) - From Noltland Court (Route 5687) to cul-de-sac 0.06 Mi.

WELLINGTON FARMS, SECTION C
(Effective 5/14/2004)

Michmar Drive (Route 5679) - From Chalkley Road (Route 632) to Wellington Farms Drive (Route 5352) 0.22 Mi.

Wellington Farms Drive (Route 5352) - From 0.05 mile west of Kenmore Lane (Route 5355) to Michmar Drive (Route 5679) 0.05 Mi.

ADKINS RIDGE
(Effective 6/25/2004)

Adkins Ridge Place (Route 5654) - From Stroud Lane (Route 1449) to cul-de-sac 0.08 Mi.

BIRKDALE, SECTION 16
(Effective 6/25/2004)

Sawgrass Place (Route 5711) - From Spyglass Hill Circle (Route 5279) to cul-de-sac 0.08 Mi.

Spyglass Hill Circle (Route 5279) - From Sawgrass Place (Route 5711) to Spyglass Hill Turn (Route 5712) and Spyglass Hill Terrace (Route 5713) 0.19 Mi.

Spyglass Hill Circle (Route 5279) - From Spyglass Hill Turn (Route 5712) and Spyglass Hill Terrace (Route 5713) to 0.13 mile east of Spyglass Hill Turn (Route 5712) 0.13 Mi.

Spyglass Hill Circle (Route 5279) - From Killarney Court (Route 5318) to Sawgrass Place (Route 5711) 0.04 Mi.

Spyglass Hill Terrace (Route 5713) - From Spyglass Hill Circle (Route 5279) to cul-de-sac 0.04 Mi.

Spyglass Hill Turn (Route 5712) - From Spyglass Hill Circle (Route 5279) to cul-de-sac 0.08 Mi.

COALBROOK, SECTION 4
(Effective 6/25/2004)

Coalbrook Drive (Route 5529) - From 0.03 mile north of Heth Drive (Route 5530) to 0.21 mile north of Heth Drive (Route 5530) 0.18 Mi.

HOLLYMEADE, SECTION D
(Effective 6/25/2004)

Croft Crossing Court (Route 5701) - From Croft Crossing Drive (Route 5700) to cul-de-sac 0.08 Mi.

Croft Crossing Drive (Route 5700) - From Croft Crossing Court (Route 5701) to Lockberry Ridge Loop (Route 4393) 0.23 Mi.

Croft Crossing Drive (Route 5700) - From Lockberry Ridge Loop (Route 4393) to Croft Crossing Court (Route 5701) 0.06 Mi.

JOHN WINSTON JONES PARKWAY
(Effective 6/25/2004)

John Winston Jones Parkway (Route 5716) - From Bus Loop (Route 9086) to 0.06 mile north of Bus Loop (Route 9086) 0.06 Mi.

John Winston Jones Parkway (Route 5716) - From Bus Loop (Route 9086) to Bus Loop (Route 9086) 0.19 Mi.

John Winston Jones Parkway (Route 5716) - From Woodpecker Road (Route 626) to Bus Loop (Route 9086) 0.34 Mi.

KINGHAM, SECTION 4
(Effective 6/25/2004)

Railey Hill Court (Route 5696) - From Railey Hill Drive (Route 5519) to cul-de-sac 0.07 Mi.

Railey Hill Drive (Route 5519) - From Railey Hill Court (Route 5696) to cul-de-sac 0.06 Mi.

Railey Hill Drive (Route 5519) - From 0.05 mile east of Kingham Drive (Route 5518) to Railey Hill Court (Route 5696) 0.05 Mi.

KRIM POINT, SECTION 2
(Effective 6/25/2004)

Krim Point Court (Route 5709) - From Krim Point Loop (Route 4762) to Krim Point Loop (Route 4762) 0.03 Mi.

Krim Point Loop (Route 4762) - From 0.02
mile north of Krim Point Way (Route 4761)
to Krim Point Trail (Route 5710) 0.01 Mi.

Krim Point Loop (Route 4762) - From Krim
Point Court (Route 5709) to Krim Point Trail
(Route 5710) 0.14 Mi.

Krim Point Loop (Route 4762) - From Krim
Point Trail (Route 5710) to Krim Point Court
(Route 5709) 0.03 Mi.

Krim Point Loop (Route 4762) - From Krim
Point Trail (Route 5710) to 0.10 mile south
Of Krim Point Trail (Route 5710) 0.01 Mi.

Krim Point Loop (Route 4762) - From Krim
Point Court (Route 5709) to Krim Point Court
(Route 5709) 0.03 Mi.

Krim Point Trail (Route 5710) - From Krim
Point Loop (Route 4762) to Krim Point Loop
(Route 4762) 0.09 Mi.

MATOACA HIGH SCHOOL
(Effective 6/25/2004)

Matoaca High School Access Road (Route 9086) -
From John Winston Jones Parkway (Route 5716) to
John Winston Jones Parkway (Route 5716) 0.14 Mi.

SPRING RUN ELEMENTARY SCHOOL ACCESS ROAD
(Effective 6/25/2004)

Spring Run Elementary School Access Road (Route
9900) - From Springford Road (Route 5717) to
Springford Road (Route 5717) 0.22 Mi.

SPRINGFORD PARKWAY
(Effective 6/25/2004)

Springford Parkway (Route 5717) - From Spring Run
Road (Route 662) to 0.15 mile south of Spring Run
Road (Route 662) 0.15 Mi.

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

11. DINNER

On motion of Mr. King, seconded by Mr. Warren, the Board
recessed to the Administration Building, Room 502, for
dinner.

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

Reconvening:

12. INVOCATION

Reverend James Cowles, Pastor of Saint Ann Catholic Church, gave the invocation.

13. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

Eagle Scout David Caisse led the Pledge of Allegiance to the flag of the United States of America.

14. COUNTY ADMINISTRATOR'S COMMENTS

O CHESTERFIELD CHAMBER OF COMMERCE PRESENTATION OF THE CHESTERFIELD COUNTY SITE PLAN REVIEW PROCESS STUDY

Ms. Debra Girvin, President Elect and Chair of the Governmental Relations Committee, Chesterfield Chamber of Commerce provided details, on behalf of the Chamber's Site Plan Task Force, of the Chesterfield County Site Plan Review Process Study. She stated the purpose of the task force was to identify areas for improvement in the county's site plan process and provided details of the process used by the task force to prepare the report. She further stated copies of the report have been presented to the Board and to county staff. She summarized process improvements revealed by the study, including improving communications between county staff and the agents submitting the plans; updating the county checklist on a more frequent basis; establishing tighter review procedures; and reducing redundant procedures. She stated the study also revealed that the three primary stakeholders involved in the process - the owners, the agents and county staff, could all contribute to making the process more efficient. She recognized members of the task force, some of whom were present at the meeting.

Mr. Miller expressed appreciation to Ms. Girvin for the thorough and professional report and stated the document will be put to good use.

Mr. Ramsey thanked the task force for a document that was very well prepared and will definitely be used by the county.

15. RESOLUTIONS AND SPECIAL RECOGNITIONS

15.A. RECOGNIZING JOHN TYLER COMMUNITY COLLEGE AND THE WIDER HORIZONS PROGRAM FOR BRINGING IRISH EXCHANGE STUDENTS TO CHESTERFIELD COUNTY

Mr. Stegmaier introduced Mr. Edward Dail, representing John Tyler Community College and Irish exchange students who were present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, John Tyler Community College is hosting a group of 16 students from Northern Ireland and the Republic of Ireland for an eight-week program that began in June and will end on August 7, 2004; and

WHEREAS, the students are sponsored by a program called Wider Horizons, which is underwritten by the International Fund for Ireland, with the objectives of promoting economic and social advance and encouraging contact, dialogue and reconciliation between Unionists and Nationalists throughout Ireland; and

WHEREAS, the Wider Horizons program offers unemployed young people, ages 18-28, from the two traditions in Northern Ireland and the South the opportunity to improve their employment prospects through the provision of training and work experience at home and abroad; and

WHEREAS, in addition, the Wider Horizons program is trying to break the cycle of violence from generation to generation by especially involving unemployed kids in troubled neighborhoods; and

WHEREAS, to date, more than 15,000 students have graduated from the program in Australia, Canada, Europe, New Zealand and the United States; and

WHEREAS, the students' stay in Virginia involves classes, volunteer work and sightseeing, along with visits to Hispanic, American-Indian and African-American communities; and

WHEREAS, the students also are volunteering to assist various Chesterfield County departments and other regional localities in a wide range of activities including Parks and Recreation, Public Affairs, Buildings and Grounds, the Lucy Corr Nursing Home, the Citie of Henricus and others; and

WHEREAS, this exchange program has benefited the participants and the City of Richmond, counties of Chesterfield and Henrico, the Lucy Corr Nursing Home, the Becoming New Beauty School, the Richmond SPCA, and the Science Museum of Virginia; and

WHEREAS, this program was made possible by John Tyler Community College and Virginia Commonwealth University.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 28th day of July 2004, publicly recognizes John Tyler Community College and the Wider Horizons Program for bringing Irish Exchange Students to Chesterfield County; thanks exchange students Lisa Leonard, Nina Croston, James Sliman, Nuala Tolan, Mandy Parker, Tom Miller, Conor Mulligan, Ryan Curry, Bobby Gray, Conor Maguire, Liam Traynor, Siobhan Foy, Olivor Arnold, Janette Cleary, Paul Cosgrove and Colin Clarke for their participation in this program, and for their efforts on behalf of Chesterfield County and the other localities and businesses that have benefited from their volunteer work, wishes these students success in their future endeavors, and hopes that this experience has enriched their lives and broadened their appreciation of others of different backgrounds.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

Mr. Warren presented executed resolutions to Mr. Dail and also to each of the Irish exchange students and expressed appreciation for the volunteer work being performed by the students.

15.B. RECOGNIZING BOY SCOUT TROOP 862 FOR OUTSTANDING COMMUNITY SERVICE

Mr. Kappel introduced members of Boy Scout Troop 862 who were present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, there will always be those in our communities who need assistance but do not have family members who can provide it; and

WHEREAS, people sometimes long for "the good old days" when neighbors took care of neighbors; and

WHEREAS, it is refreshing to note that here in Chesterfield County, this practice of neighbors taking care of neighbors is alive and well; and

WHEREAS, one recent example was brought to the attention of this Board of Supervisors; and

WHEREAS, Mrs. Karen Holliday, of the Clover Hill Magisterial District, wrote to inform her Board of Supervisors representative of the actions of Boy Scout Troop 862; and

WHEREAS, Mrs. Holliday, a widow, needed assistance with household maintenance; and

WHEREAS, several members of Troop 862 spent a hot and humid Saturday working to mow the lawn, remove debris, mulch flower beds and perform other tasks to assist Mrs. Holliday; and

WHEREAS, these types of good deeds too often go unnoticed and unrecognized; and

WHEREAS, it is appropriate to publicly recognize the efforts of these young men.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 28th day of July 2004, publicly recognizes the outstanding community spirit and civic-minded responsibility of the members of Boy Scout Troop 862, thanks the troop for its efforts to help someone in need within the community, and expresses the gratitude of all Chesterfield County residents for Troop 862's positive efforts on behalf of Mrs. Holliday, which exemplify the positive deeds of youth activity in our county, state and nation.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

Mr. Warren presented executed resolutions to members of Troop 862 and commended them on their outstanding community service.

15.C. RECOGNIZING BOY SCOUTS UPON ATTAINING THE RANK OF EAGLE SCOUT

15.C.1. WILLIAM GREER HARVEY, DALE DISTRICT

15.C.2. DAVID GREGORY CAISSE, MATOACA DISTRICT

Mr. Hammer introduced Mr. William Harvey and Mr. David Caisse who were present to receive resolutions.

On motion of the Board, the following resolution was adopted:

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to their community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law

Mr. William Greer Harvey, Troop 874, sponsored by Saint Luke's United Methodist Church; and Mr. David Gregory Caisse, Troop 842, sponsored by Swift Creek Baptist Church, have accomplished those high standards of commitment and have reached the long-sought goal of Eagle Scout which is received by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through their experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare themselves for roles as leaders in society, William and David have distinguished themselves as members of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 28th day of July 2004, hereby extends its congratulations to Mr. William Greer Harvey and Mr. David Gregory Caisse, and acknowledges the good fortune of the county to have such outstanding young men as its citizens.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

Mr. Miller and Mrs. Humphrey presented executed resolutions and patches to Mr. Harvey and Mr. Caisse, accompanied by members of their families, congratulated them on their outstanding achievement, and wished them well in their future endeavors.

Mr. Harvey expressed appreciation to his parents, scout leaders and members of his troop for their support.

Mr. Caisse expressed appreciation to his assistant scoutmaster, parents, family members and fellow scouts for their support.

16. REQUESTS FOR MOBILE HOME PERMITS AND REZONING PLACED ON THE CONSENT AGENDA TO BE HEARD IN THE FOLLOWING ORDER:
- WITHDRAWALS/DEFERRALS - CASES WHERE THE APPLICANT ACCEPTS THE RECOMMENDATION AND THERE IS NO OPPOSITION
- CASES WHERE THE APPLICANT DOES NOT ACCEPT THE RECOMMENDATION AND/OR THERE IS PUBLIC OPPOSITION WILL BE HEARD AT SECTION 18

04SN0226

In Dale Magisterial District, WINDSOR PROPERTIES requests rezoning and amendment of zoning district map from Agricultural (A) to Residential (R-12). Residential use of up to 3.63 units per acre is permitted in a Residential (R-12) District. The Comprehensive Plan suggests the property is appropriate for community mixed use. This request lies on 7.6 acres at the western terminus of Mistyhill Road. Tax ID 775-679-Part of 6282 (Sheet 17).

Mr. Turner stated the applicant has requested a deferral until September 22, 2004.

Mr. Andy Scherzer, representing the applicant, requested a deferral until September 22, 2004.

Mr. Miller called for public comment.

No one came forward to speak to the deferral.

On motion of Mr. Miller, seconded by Mr. Warren, the Board deferred Case 04SN0226 until September 22, 2004.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

04SR0250

In Dale Magisterial District, DOUGLAS J. AND DEBORAH A. HACKMAN request renewal of Conditional Use Planned Development (Case 03SR0100) and amendment of zoning district map to permit office use and exceptions to Ordinance requirements. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for residential use of 1.0 - 2.5 units per acre. This request lies in an Agricultural (A) District on 7.2 acres fronting approximately 670 feet on the west line of Newbys Bridge Road approximately 200 feet south of Sunny Grove Road. Tax IDs 758-681-2847 and Part of 4279 (Sheet 17).

Mr. Turner stated the applicant has requested a deferral until October 27, 2004.

Mr. Andy Scherzer, representing the applicant, requested a deferral until October 27, 2004.

Mr. Miller expressed appreciation to Mr. Scherzer for requesting the deferral.

Mr. Miller then called for public comment.

No one came forward to speak to the request.

On motion of Mr. Miller, seconded by Mr. King, the Board deferred Case 04SR0250 until October 27, 2004.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

04SN0205

In Matoaca Magisterial District, THEODORE BALSAMO requests rezoning and amendment of zoning district map from Agricultural (A) to Residential (R-12). Residential use of up to 3.63 units per acre is permitted in a Residential (R-12) District. The Comprehensive Plan suggests the property is appropriate for single family residential use of 2.0 units per acre or less. This request lies on 138.7 acres fronting approximately 2,300 feet on the south line of Genito Road approximately 770 feet west of Mt. Hermon Road. Tax IDs 699-690-5223, 700-688-4363 and 701-689-Part of 1119 (Sheet 8).

Mr. Turner stated Mrs. Humphrey has requested a deferral until August 25, 2004.

Mr. Andy Scherzer, representing the applicant, stated the deferral recommendation is acceptable.

Mr. Miller called for public comment.

Mr. Ted Lushch, a resident of Lacy Farm Road, inquired about changes that have occurred since the request was heard by the Planning Commission.

Mr. Scherzer stated the additional proffered conditions further reduce the density below what was recommended for approval by the Planning Commission and provide for enlarged lot size on the northern and western perimeter of the site to address neighborhood concerns.

Mr. Lushch stated he supports the deferral.

Ms. Lee Dillar, a Woodlake resident, requested that safety issues be addressed during the deferral period.

No one else came forward to speak to the deferral.

On motion of Mrs. Humphrey, seconded by Mr. King, the Board deferred Case 04SN0205 until August 25, 2004.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

04SN0247

In Bermuda Magisterial District, BOZE INVESTMENT, LLC requests rezoning and amendment of zoning district map from Light Industrial (I-1) to General Industrial (I-2). The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for light industrial use. This approximately 2,200 feet north of West Hundred Road. Tax ID 803-656-2356 (Sheet 27).

Mr. Turner presented a summary of Case 04SN0247 and stated the Planning Commission and staff recommended approval and acceptance of the proffered conditions.

Mr. John Easter, representing the applicant, stated the recommendation is acceptable.

Mr. Miller called for public comment.

No one came forward to speak to the request.

On motion of Mr. King, seconded by Mr. Warren, the Board approved Case 04SN0247 and accepted the following proffered conditions:

The property owner and applicant in this rezoning case, pursuant to section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for themselves and their successors or assigns, proffer that the property under consideration (the "Property") will be developed according to the following proffers if, and only if, the rezoning request submitted herewith is granted with only those conditions agreed to by the owner and applicant. In the event the request is denied or approved with conditions not agreed to by the owner and applicant, the proffers shall be immediately null and void and of no further force or effect.

1. Uses Permitted on the Property. The following uses shall be permitted on the Property:
 - a. Any use permitted in Light Industrial (I-1) District; and
 - b. Tractor-trailer service stations. (P)
2. View from Old Stage Road. The view of any structures or equipment used for a tractor trailer service station from Old Stage Road shall be minimized to the extent practicable, using a berm, vegetation, or other screening material. The exact nature and location of such materials shall be subject to review and approval by the Planning Department at time of site plan approval. (P)
3. Public Water and Sewer. Any development on the Property other than an unattended tractor-trailer service station shall be served by public water and sewer. (U)
4. Right-of-Way Dedication. Prior to any site plan approval, thirty-five (35) feet of right-of-way on the west side of Old Stage Road, measured from the

centerline of that part of Old Stage Road immediately adjacent to the property, shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. (T)

5. Road Ditch Relocation. Prior to issuance of an occupancy permit, the ditch along the west side of Old Stage Road shall be relocated to provide an adequate shoulder for the entire property frontage, and additional pavement shall be constructed along Old Stage Road at the approved access to provide left and right turn lanes, if warranted based on Transportation Department standards. The developer shall dedicate to Chesterfield County, free and unrestricted, any additional right-of-way (or easements) required for these road improvements. (T)
6. Access. Direct access from the property to Old Stage Road shall be limited to one (1) entrance/exit. The exact location of this access shall be approved by the Transportation Department. Prior to any site plan approval, an access easement, acceptable to the Transportation Department, shall be recorded from Old Stage Road to the adjacent property to the south. (T)

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

04SN0248 (Amended)

In Bermuda Magisterial District, BRANDERS BRIDGE LLC requests rezoning and amendment of zoning district map from Agricultural (A) to Residential (R-12). Residential use of up to 3.63 units per acre is permitted in a Residential (R-12) District. The Comprehensive Plan suggests the property is appropriate for residential use of 2.51 - 4.0 units per acre. This request lies on 86.9 acres lying approximately 625 feet off the western terminus of Cougar Trail. Tax IDs 791-636-9012 and 791-635-Part of 3704 (Sheets 34 and 41).

Mr. Turner presented a summary of Case 04SN0248 and stated the Planning Commission and staff recommend approval and acceptance of the proffered conditions.

Mr. John Easter, representing the applicant, stated the recommendation is acceptable.

Mr. Miller called for public comment.

No one came forward to speak to the request.

On motion of Mr. King, seconded by Mr. Warren, the Board approved Case 04SN0248 and accepted the following proffered conditions:

The property owner and applicant in this rezoning case, pursuant to section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for themselves and their successors or assigns, proffer that the property under consideration (the "Property") will be developed according to the following proffers if, and only

if, the rezoning request submitted herewith is granted with only those conditions agreed to by the owner and applicant. In the event this request is denied or approved with conditions not agreed to by the owner and applicant, the proffers shall immediately be null and void and of no further force or effect.

1. Timbering. With the exception of timbering to remove dead or diseased trees which has been approved by the Virginia State Department of Forestry, there shall be no timbering until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices installed in accordance with The Forestry Best Management Practices for Water Quality in Virginia. (EE)
2. Maximum Number of Dwellings. The overall number of dwellings for the entire Property shall not exceed 120 units. (P)
3. Cash Proffer. Prior to the time of issuance of a building permit for each new dwelling unit, the applicant, subdivider, or its assignee, shall pay to the County of Chesterfield the following amounts for infrastructure improvements within the service district for the Property:
 - a. if payment is made prior to July 1, 2004, \$9000; or
 - b. if payment is made after June 30, 2004, the amount approved by the Board of Supervisors, but not to exceed the \$9000 per dwelling unit as adjusted upward by any increase in the Marshall and Swift Building Cost Index between July 1, 2003 and July 1 of the fiscal year in which the payment is made.

If any of the cash proffers are not expended for the purposes designated by the Capital Improvement Program within fifteen (15) years from the date of payment, they shall be returned in full to the payor. Should Chesterfield County impose impact fees at any time during the life of the development that are applicable to the Property, the amount paid in cash proffers shall be in lieu of or credited toward, but not be in addition to, any impact fees, in a manner determined by the County. (B and M)

4. No Construction Traffic. Unless access to the Property from Cougar Trail cannot be obtained, for a period of three (3) years from initial development of the Property, no construction traffic shall use Harrow Drive for access to or from the Property. (P)
5. Transportation. In conjunction with development of any lots with access to Harrow Drive, additional pavement shall be constructed along Harrowgate Road at the Harrow Drive intersection to provide a right turn lane. The developer shall dedicate to Chesterfield County, free and unrestricted, any additional right-of-way (or easement) required for this improvement. (T)

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

04SN0258

In Bermuda Magisterial District, ROBERT REID AND MELODY REID request rezoning and amendment of zoning district map from Agricultural (A) to General Industrial (I-2). The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for light industrial use. This request lies on 1.4 acres fronting approximately 145 feet on the west line of Happy Hill Road approximately 1,460 feet northeast of Jefferson Davis Highway. Tax ID 800-632-3880 (Sheet 41).

Mr. Turner presented a summary of Case 04SN0258 and stated the Planning Commission and staff recommend approval.

Mr. Oliver "Skitch" Rudy, representing the applicant, stated the recommendation is acceptable.

Mr. Miller called for public comment.

No one came forward to speak to the request.

On motion of Mr. King, seconded by Mr. Warren, the Board approved Case 04SN0258.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

Mrs. Humphrey excused herself from the meeting.

04SN0259

In Midlothian Magisterial District, WELCO, LLC requests rezoning and amendment of zoning district map from Community Business (C-3) to General Business (C-5) of 0.8 acre plus proffered conditions on an adjacent 0.9 acre tract currently zoned General Business (C-5). The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for community mixed use. This request lies on 1.7 acres fronting approximately 300 feet on the west line of Turner Road approximately 690 feet south of Midlothian Turnpike. Tax IDs 762-705-1190, 2994, 3285 and 3475 (Sheet 7).

Mr. Turner presented a summary of Case 04SN0259 and stated the Planning Commission and staff recommend approval and acceptance of the proffered conditions.

Mr. Welford Maxey, representing the applicant, stated the recommendation is acceptable.

Mr. Miller called for public comment.

No one came forward to speak to the request.

On motion of Mr. King, seconded by Mr. Warren, the Board approved Case 04SN0259 and accepted the following proffered conditions:

1. Screening of Loading Areas. Screening of loading areas for any self-storage facility from adjacent properties shall be achieved through the positioning of the self-storage buildings in a compound-like manner such that the walls of the buildings closest to these adjacent properties shall be generally parallel to the adjacent boundary lines. (P)
2. Setbacks. A minimum setback of twenty (20) feet for buildings, drives and parking areas shall be established from the boundaries of Tax IDs 762-705-3285 and 3475 where adjacent to Tax ID 762-705-2043 (Cloverleaf Office Park). Within these setbacks, Perimeter Landscape C shall be provided in accordance with Ordinance requirements. (P)
3. Uses. Uses shall be limited to those uses permitted by right or with restrictions in the Community Business (C-3) District as well as self-storage facilities. (P)
4. Prior to any site plan approval, forty-five (45) feet of right-of-way on the west side of Turner Road, measured from the centerline of that part of Turner Road immediately adjacent to the property, shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. (T)
5. Direct access from the property to Turner Road shall be limited to two (2) entrances/exits. The exact location of these accesses shall be approved by the Transportation Department. (T)

Ayes: Miller, King and Warren.

Nays: None.

Absent: Barber and Humphrey.

04SN0266

In Bermuda Magisterial District, SKINQUARTER INVESTMENTS, LLC requests rezoning and amendment of zoning district map from Agricultural (A) to Residential (R-12). Residential use of up to 3.63 units per acre is permitted in a Residential (R-12) District. The Comprehensive Plan suggests the property is appropriate for residential use of 1.5 units per acre or less. This request lies on 22.5 acres fronting approximately 670 feet on the south line of Southcreek Drive south of Jumping Mallard Place and Broadbill Drive. Tax ID 805-640-2659 (Sheet 35).

Mr. Turner presented a summary of Case 04SN0266 and stated the Planning Commission and staff recommend approval and acceptance of the proffered conditions. He noted the request conforms to the Consolidated Eastern Area Plan.

Mr. Irvin Horner, representing the applicant, stated the recommendation is acceptable.

Mr. Miller called for public comment.

No one came forward to speak to the request.

On motion of Mr. King, seconded by Mr. Warren, the Board approved Case 04SN0266 and accepted the following proffered conditions:

1. Public water and wastewater systems shall be used. (U)
2. The applicant, subdivider, or assignee(s) shall pay the following for dwelling units developed to the County of Chesterfield prior to the issuance of building permit for infrastructure improvements within the service district for the property:
 - a. \$9000.00 per dwelling unit, if paid prior to July 1, 2004: or
 - b. The amount approved by the Board of Supervisors not to exceed \$9000.00 per dwelling unit adjusted upward by any increase in the Marshall and Swift Building Cost Index between July 1, 2003 and July 1 of the fiscal year in which the payment is made after June 30, 2004.
 - c. In the event the cash proffer is not used for the purpose for which proffered within 15 years of receipt, the cash shall be returned in full to the payer. (B & M)
3. Except for the timbering approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering on the property until a land disturbance permit has been obtained from the Environmental Engineering Department and approved devices have been installed. (EE)
4. Minimum Lot Size. Each lot shall have a minimum area of 18,000 square feet. (P)
5. Average Lot Size. The overall average lot size shall be a minimum of 22,000 square feet. (P)
6. Density. A maximum of 1.5 dwelling units per acre shall be permitted. (P)
7. Communication with Southcreek Homeowners Association. The Owner shall be responsible for notification, by registered, certified or first class mail, to the last known representative on file with the Chesterfield County Planning Department of the Southcreek Homeowners Association of the submission of any tentative subdivision plan. Such notification shall occur as soon as practical, but in no event less than twenty-one (21) days prior to approval or disapproval of any tentative subdivision plan. The Owner shall provide the Planning Department with evidence that such notice was sent. (P)
8. Covenants, Conditions and Restrictions. At a minimum, the following restrictive covenants shall be recorded prior to or in conjunction with the recordation of any subdivision plat of the Property:

1. No lots shall be used except for single-family residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached single-family dwelling not to exceed three stories in height and one private garage for not more than two cars.
2. Only one residence shall be erected or placed on a single lot, and no lot shall, after its original conveyance, be subdivided into smaller lots or parcels. No structure of a temporary character, trailer, mobile home, basement, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently. Eighteen wheel tractor trailers are prohibited from being parked on or maintained on any lot at anytime.
3. No nuisance, obnoxious, or offensive activities shall be permitted to exist or operate upon any portion of any property so as to be detrimental to or interfere with any other property in the vicinity there or to its occupants.
4. No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste. Nor shall any of the above be kept on any lot except in sanitary containers, in the rear yards only.
5. No animals, livestock, hogs, pigs or poultry of any kind, shall be raised, bred, or kept on any lot except that dogs, cats, or other household pets may be kept therein if they are not kept, bred or maintained for any commercial purpose, and in accordance with the applicable ordinances. For the purpose herein pigs and/or hogs, including, but not limited to "pot belly" pigs are not household pets.
6. No sign of any kind shall be displayed to the public view on any lot except one sign of not more than five square feet advertising the property for sale or rent, unless approved by the Architectural Control Committee in writing.
7. An Architectural Control Committee (herein called "Committee") originally composed of three (3) members is hereby established. Any two members of the Committee may act on behalf of the Committee without holding a meeting of the full Committee or giving notice to the other members. The members of the Committee shall receive no compensation for acting hereunder.
8. No improvement shall be erected, placed or altered on any lot until the construction plan thereof, and a plan showing the location of the said improvement shall have been submitted to and approved by the Architectural Control Committee. No construction on said improvements shall commence until the said plans and location of said improvements shall have been approved by the Committee in writing. The Committee reserves the right to request such

information and data as may be necessary to make said determination. Prior to the commencement of any improvements, written approval may be withdrawn at any time by the Committee by giving written notice to said party of its withdrawal of said approval. The Committee approval as required above shall be in writing and, in the absence of such written approval, construction plans and location plans shall be considered as disapproved. The building location on all lots shall be within the applicable County zoning ordinance, and at the discretion of the said Committee.

9. There shall be no clearing or other disturbances of the area within the 100-year flood plan except utility and drainage easements. The flood plan and creek areas shall otherwise remain in their present natural state.
10. The foundation of all single-family residences on any lot shall be constructed of brick only on all front exterior walls, unless otherwise approved by the Committee. No exposed cinder or concrete block exterior walls or foundations shall be erected. All single-family residences must have some exterior appurtenance on either the front or side elevations, such as covered stoops, covered porches or decks. These exterior appurtenances must be a minimum of 40 square feet. All one and one-half story cape style single-family residences shall have at least one dormer window.
11. All single-family residence shall conform to a Colonial, Traditional, or Transitional architectural style. No aluminum siding will be used, with the exception of aluminum trim. The roof pitch on all single-family residences, except for covered porches shall have a minimum of six inches of rise for every foot. Dimensional shingles shall be used on all residences.

All single-family residences shall have the following minimum square footage:

- a) The floor area of a single story, ranch style single-family residence shall not be less than 1,600 square feet.
 - b) The floor area of any one and one half story, cape cod style residence shall not be less than 1,700 square feet.
 - c) The floor area of any two-story residence shall not be less than 1,800 square feet.
 - d) Attached porches, covered stoops, breezeways, and garages shall not be included in computing minimum square footage.
12. No ranch single-family residence shall be built on a lot adjacent to another single-family ranch style residence.

13. The exterior of all houses and other structures must be completed within one year after the construction of same shall have commenced, except where such completion is impossible or would result in great hardship to the owner or builder due to strikes, fires, national emergency or natural calamities. Houses may not be temporarily or permanently occupied until the exteriors thereof have been completed unless permitted by prior written approval of the Architectural Control Committee and evidence that a Certificate of Occupancy has been issued by Chesterfield County. During the continuance of construction the owner of the lot shall require the contractor to maintain the lot in a reasonably clean and uncluttered condition.
14. Only mailboxes, newspaper tubes, lamp posts, and driveway materials meeting the design standard of the Architectural Control Committee shall be permitted. The Declarant reserves the right to establish mandatory uniform regulations to govern the erection and/or alteration of same in the subdivision. Such uniform regulations will be administered through the Architectural Control Committee.
15. Except as otherwise provided by applicable law and unless approved by the Architectural Control Committee, no antenna, aerial or device of any kind used for the purpose of transmitting or receiving radio, television, microwave or satellite signals shall be placed or erected on any lot or on the exterior of any residence or any other building or structure thereon.
16. No fence shall be permitted between the single-family residence and the street line (front yard). Split rail fences or other wooden fences may be built between the rear of the house and the rear lot line (rear yard). The split rail fences may be backed with approved wire to provide animal retention. There shall be no other metal or chain link fences permitted.
17. Clothes lines or other clothes drying apparatus shall be screened from public view in a manner approved by the Architectural Control Committee.
18. Where possible and conditions permit, there will be no strip clearing of all trees from any lot. Anyone erecting improvements on the said lots must strive to leave natural tree buffer on both the rear and sides of all lots. However, brush and scrub trees under six inches in diameter may be removed from all lots if so desired.
19. Utility storage sheds or tool sheds shall have an exterior texture and color that matches the exterior texture and color of the residence on said lot and must be placed between rear line of the residence and the rear lot line.

20. Easements for installation and maintenance of utilities and drainage are reserved as shown on said subdivision plat.
21. The Declarant, while it may during the course of the development of the Property subject or to be subjected to the covenants, conditions and restrictions herein set forth, may undertake to maintain certain areas within the rights of way and/or easements within said development. Said conduct on the part of the Declarant shall not be deemed to impose any continuing liability on the Declarant to do so and the Declarant reserves to themselves at all times the right to discontinue any such maintenance.
22. Prior to the rights of way, easements and roads being accepted by the Virginia Department of Transportation, and the County of Chesterfield road systems, no alterations, additions or improvements shall be made within the rights of way and/or easements including, but not limited to driveway culvert areas, ditches and where driveways tie into the roadways. At such time the rights of way, easements and roadways are in the Virginia Department of Transportation and Chesterfield County systems all necessary permits and approvals must be obtained from any and all required government departments and/or agencies and the Committee.
23. Areas designated as Common Areas, Private Drainage Easement, and/or BMP facility on the are real property owned by Skinquarter Investments LLC., a Limited Liability Company or the Southcreek Homeowners Association for the use and enjoyment of the lot owners of Southcreek Subdivision. Ownership of the Common Area shall be conveyed to Southcreek Homeowners Association by a deed from Declarant.

Every lot owner shall have the right and easement of enjoyment in and to the Common Area which shall be appurtenant to and shall pass with the title to every lot.

Declarant, for each lot owned in Southcreek, hereby declares and covenants that every homeowner upon accepting a deed to a lot will automatically become a member to the Southcreek Homeowners Association (The "Association"). Furthermore, by acceptance of said deed, whether or not it shall be so recited in each deed, each homeowner is deemed to covenant and agrees to pay annual assessments to the Association. The assessments levied by the Association shall be used exclusively for the improvement and maintenance of the Common Area, right of ways, easements and for the maintenance of the BMP facility per the BMP Facility Agreements recorded with the Clerk of the Circuit Court, Chesterfield County in Deed Book 2965, Page 608, Deed Book 2965 Page 614, Deed Book 2306, Pages 1532 through 1536 and any future BMP Facilities in

Southcreek. Nothing contained herein shall create a duty on the part of Declarant to make any such improvements. The Association shall pay any real estate taxes and other charges assessed against the Common Area.

The maximum annual assessment shall be (a) Beginning October 1, 1993 the maximum annual assessment shall be \$120.00 per lot on which there exists completed improvements as determined by the issuance by the appropriate governmental authority of a Certificate of Occupancy; (b) From and after January 1, 1994 the maximum annual assessment may be increased each year not more than ten percent (10%) above the maximum assessment for the previous year without a vote of the membership of the Association of fifteen percent (15%) of the Association members, voting in person or by the proxy, at a meeting called for such purpose; (c) The Board of Directors of the Association may fix the annual assessment at any amount not in excess of the maximum.

The annual assessments, together with the cost of collecting delinquent assessment such as interest, court costs and reasonable attorney fees shall be a charge on the land and will be a continuing lien upon the real estate (lot) against which such assessment is made. Each such assessment, together with interest, costs and reasonable attorney's fees, shall be the personal obligation of the person who was the owner of such lot when the assessment became due. Any assessment not paid within thirty (30) days after the due date shall bear interest at the rate of ten percent (10%). The Association may bring an action at law against the lot and/or the owner(s) thereof. The Board of Directors of the Association shall fix the amount of the annual assessment against each lot at least thirty (30) days in advance of each annual assessment period and so notify in writing each lot owner of such. The due date shall be established by the Board of Directors of the Association. The Association shall upon request, and for a reasonable charge, furnish a certificate signed by an officer of the Association setting forth whether or not the assessments on a specified lot have been paid.

Any assessments, charges and cost of the maintenance of such Common Area shall constitute a lien on the individual lots inferior in lien and dignity only to real estate taxes and bona fide duly recorded first deeds of trust on each lot. Sale or transfer of any lot shall not affect the assessment lien, however the sale or transfer of any lot pursuant to a first deed of trust foreclosure or any proceeding in lieu thereof, shall extinguish the lien of such assessments as to payments which became due prior to such sale or transfer. No sale or transfer shall relieve such lot for any assessment thereafter becoming due or from the lien thereof.

24. Each and every covenant, condition and easement herein imposed may be enforced by the undersigned or by the owner of any lot by appropriate proceedings at law or in equity against any party violating or attempting or threatening to violate the same.
25. Invalidation of any one of these covenants or conditions by judgment or court adjudication or otherwise shall in no way modify, affect, or invalidate any of the other remaining covenants and conditions herein contained which shall remain in full force and effect.
26. Declarant and successor or assigns hereby expressly reserve the right to release or modify in part any of the restrictive covenants or conditions contained herein.
27. The covenants and conditions herein contained, unless expressly released or modified, shall run with the land and shall be binding upon the owner or owners of each and every lot, and all parties claiming through or under each such owner or owners for a period of 25 years from the date of the recordation hereof, after which period such covenants and conditions shall be automatically extended for successive periods of ten years each, unless prior to the expiration of said period, an instrument executed and acknowledged by the then owners of the majority of all the lots be recorded in the appropriate Clerk's Office revoking the said covenants and conditions, at which time the covenants and conditions shall cease and have no further effect at the end of the applicable extension period. (P)

Ayes: Miller, King and Warren.

Nays: None.

Absent: Barber and Humphrey.

Mrs. Humphrey returned to the meeting.

04SN0283

In Clover Hill Magisterial District, JNB COMPANY OF VIRGINIA, L.L.C. requests Conditional Use and amendment of zoning district map to permit outside storage in a Community Business (C-3) District. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for community mixed use. This request lies on 6.0 acres lying approximately 300 feet off the north line of Hull Street Road, approximately 270 feet west of Winterpock Road. Tax ID 723-672-3645 (Sheet 15).

Mr. Turner presented a summary of Case 04SN0283 and stated the Planning Commission and staff recommend approval and acceptance of one proffered condition.

Mr. John Easter, representing the applicant, stated the recommendation is acceptable.

Mr. Miller called for public comment.

No one came forward to speak to the request.

On motion of Mr. Warren, seconded by Mr. King, the Board approved Case 04SN0283 and accepted the following proffered condition:

Any outside storage permitted through this conditional use shall be located within the area shown on Exhibit A. The view of such area shall be minimized through the use of windscreen fabric or other similar material. The exact treatment shall be approved by the Planning Department. (P)

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

04SR0323

In Bermuda Magisterial District STEPHEN AMOS MILLER, JR. requests renewal of Manufactured Home Permit 97SR0168 to park a manufactured home in a Residential (R-7) District. The density of this proposal is approximately 1.11 units per acre. The Comprehensive Plan suggests the property is appropriate for community commercial use. This property is known as 2651 Velda Road. Tax ID 794-666-2833 (Sheet 18).

Mr. Turner presented a summary of Case 04SR0323 and stated staff recommended approval subject to conditions for a period of seven years.

Mr. Stephen Miller, Jr. stated the recommendation is acceptable.

Mr. Miller called for public comment.

No one came forward to speak to the request.

On motion of Mr. King, seconded by Mr. Warren, the Board approved Case 04SR0323 subject to the following conditions:

1. The applicant shall be the owner and occupant of the manufactured home.
2. Manufactured home permit shall be granted for a period not to exceed seven (7) years from date of approval.
3. No lot or parcel may be rented or leased for use as a manufactured home site nor shall any manufactured home be used for rental property.
4. No additional permanent-type living space may be added onto a manufactured home. All manufactured homes shall be skirted but shall not be placed on a permanent foundation.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

04SN0249

In Bermuda Magisterial District, GREENBRIAR DEVELOPMENT LLC requests rezoning and amendment of zoning district map from Agricultural (A) to Residential (R-12). Residential use of up to 3.63 units per acre is permitted in a Residential (R-12) District. The Comprehensive Plan suggests the property is appropriate for residential use of 2.51 - 4.0 units per acre. This request lies on 31.6 acres fronting approximately 225 feet on the north line of Heritage Drive approximately 1,670 feet west of Harrowgate Road, also lying at the eastern terminus of Horseshoe Bend Drive. Tax IDs 791-640-6935, 792-639-Part of 1731 and 792-640-Part of 5335 (Sheet 34).

Ms. Beverly Rogers presented a summary of Case 04SN0249 and stated the Planning Commission and staff recommend approval and acceptance of the proffered conditions. She noted the request conforms to the Southern and Western Area Plan.

Mr. Larry Horton, representing the applicant, stated the developer has addressed neighborhood concerns relative to traffic on Heritage Drive. He further stated the recommendation is acceptable.

Mr. Miller called for public comment.

No one came forward to speak to the request.

Mr. King expressed appreciation to Mr. Jack Wilson, Bermuda District Planning Commissioner, for working with the applicant and area residents to ensure that Heritage Drive not be disturbed.

Mr. King then made a motion, seconded by Mr. Warren, for the Board to approve Case 04SN0249 and accept the following proffered conditions:

1. The public water and wastewater systems shall be used. (U)
2. Except for timbering approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering on the Property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices installed. (EE)
3. All exposed portions of the foundation of each dwelling unit shall be faced with brick or stone veneer. (BI & P)
4. The minimum gross floor area for one (1) story dwelling units shall be 1,600 square feet and dwelling units with more than one story shall have a minimum gross floor area of 1,800 square feet. (BI & P)
5. The applicant, subdivider or assignee(s) shall pay the following to the County of Chesterfield prior to the issuance of building permit for infrastructure improvements within the service district for the property:

- a. \$9,000 per dwelling unit, if paid prior to July 1, 2004; or
 - b. The amount approved by the Board of Supervisors not to exceed \$9,000 per dwelling unit adjusted upward by any increases in the Marshall and Swift Building Cost Index between July 1, 2003, and July 1 of the fiscal year in which the payment is made if paid after June 30, 2004.
 - c. In the event the cash payment is not used for the purpose for which proffered within fifteen (15) years of receipt, the cash shall be returned in full to the payor. (B&M)
- 6. No direct access shall be provided from the property to Heritage Drive. (T & P)
 - 7. The overall average lot size of the development shall be a minimum of 20,150 square feet. (P)
 - 8. The development shall not exceed a density of 1.85 dwelling units per acre. (P)

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

17. PUBLIC HEARINGS

17.A. TO CONSIDER AMENDING AN EXISTING ORDINANCE, WHICH CREATED THE "ENGLEWOOD SEWER ASSESSMENT DISTRICT"

Mr. Stith stated this time and date has been advertised for a public hearing for the Board to consider an amendment to the ordinance which created the "Englewood Sewer Assessment District" by adding language relating to the suspension of sewer assessment payments for property owners 65 years of age or older.

Mr. Miller called for public comment.

No one came forward to speak to the issue.

On motion of Mr. King, seconded by Mr. Warren, the Board adopted the following ordinance amendment:

AN ORDINANCE TO AMEND AND RE-ENACT THE
ORDINANCE CREATING ENGLEWOOD
SPECIAL TAX OR ASSESSMENT SEWER DISTRICT
TO PROVIDE FOR SUSPENSION OF PAYMENT FOR
CERTAIN ELDERLY OWNERS

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That the Ordinance creating the Englewood Special Tax or Assessment Sewer District is amended and re-enacted as follows:

Section 1. Definitions.

In the context of this ordinance, the following words shall have the following meaning:

District: The Englewood Special Tax or Assessment Sewer District.

Map of the District: The map entitled "Proposed Englewood Sewer Assessment District" prepared by the County Department of Utilities, which map is on file with the director of utilities.

Section 2. Establishment of Englewood Special Tax or Assessment Sewer District.

Pursuant to Code of Virginia, Section 15.2-2404 et seq., there is hereby created in the county the Englewood Special Tax or Assessment Sewer District. The area of the district shall be and the same is hereby fixed within the boundaries depicted on the map of the district.

Section 3. Construction of certain sewer facilities in and adjacent to the district.

The utilities department shall cause to be constructed in and adjacent to the district the sewer line and appurtenant facilities depicted on the map of the district.

Section 4. Taxes or assessments upon owners of property located within the district.

The cost of construction of the sewer line and appurtenant facilities located within the district shall be apportioned among the owners of property abutting the sewer line. The amount of the tax or assessment charged to each such owner shall be one twenty-fourth ($1/24$) of the total cost of the improvements constructed within the district, including the legal, financial and other directly attributable costs incurred by the County. The one twenty-fourth ($1/24$) charge shall be assessed against each lot located in the district. The amount finally taxed or assessed against each landowner shall be reported to the treasurer as soon as practicable after completion of the sewer line and appurtenant facilities located within the district, and the treasurer shall enter the same as provided for other taxes.

Section 5. Installment payment of assessments.

Any person against whom an assessment provided for in this article has been finally made shall pay the full amount of the assessment provided for in this article, on the due date of the first tax bill on which such assessment is shown. In no event, however, shall any part of the assessment be due prior to the completion of the sewer line and appurtenant facilities constructed pursuant to this article. As an alternative to payment as provided above, a person against whom an assessment provided for in this article has been made

may pay such assessment in forty (40) equal semiannual principal installments over a period of twenty (20) years, together with simple interest on the unpaid principal balance at an annual rate equal to the index of average yield on United States Treasury Securities adjusted to a constant maturity of one year as made available by the Federal Reserve Bank on the date when this ordinance was adopted. The first of such installments shall be due on and interest on the unpaid principal balance shall accrue from the date on which the full amount of the assessment would otherwise have been due as provided above.

Section 5.1. Suspension of payment of assessments.

Payment of assessments otherwise due under this ordinance shall be suspended for any owner who owned property on the day the ordinance creating the assessment district was adopted and who occupies a residential building located on the property and is 65 years of age or older. However when the property is no longer occupied by a person who is 65 years of age or older or is conveyed to another person or persons, irrespective of the age of the person or persons to whom the property is conveyed, the suspension of payments shall cease and the entire assessment, including accrued interest, shall be immediately due and payable. It shall be the obligation of any such owner to provide a driver's license or other photo identification establishing proof of age satisfactory to the director of utilities in order for such suspension to become effective.

Section 6.

This ordinance shall not be set out in the County Code but shall be kept on file in the office of the director of utilities.

(2) This ordinance shall be in effect immediately upon its adoption.

Ayes: Miller, Humphrey, King and Warren.
Nays: None.
Absent: Barber.

17.B. TO CONSIDER RE-ADOPTION OF AN AMENDMENT TO THE TRANSIENT OCCUPANCY TAX ORDINANCE

Mr. Micas stated the Board adopted an ordinance on an emergency basis on June 23, 2004 removing the transient occupancy tax from the rental of banquet space and other meeting rooms. He further stated this date and time has been advertised for a public hearing for the Board to consider re-adoption of the ordinance. He noted this is the same ordinance adopted on an emergency basis with the addition of language for space at campgrounds, which, in his opinion, was the original intent of state law.

Mr. Miller called for public comment.

Mr. Bill Baxter, President of the Retail Merchants Association of Greater Richmond and staff liaison to the Greater Richmond Hotel/Motel Association, stated the organizations support the proposed ordinance and feels it

identifies the original intent of the transient occupancy tax. He further stated he has spoken with Senator William Fears, the patron of the transient occupancy tax legislation, who indicated that the General Assembly intended that the occupancy tax only be levied on occupied lodging rooms. He noted the word "space" was not included in the original ordinance, but was added at the same time as the word "campgrounds."

Mr. John Cogbill stated the ordinance represents a demonstration of a pro-business Board of Supervisors. He further stated he believes the ordinance clearly states there is no authority for the county to tax anything other than rooms that people occupy for 30 days or less, or a space which is a campground space for a recreational vehicle or a tent. He stated he believes the previous ordinance exceeds the authority provided by state statute, thereby violating the Dillon's Rule, and suggested that the Board add a paragraph stating that the amendment is declaratory of existing law.

There being no one else to speak to the ordinance, the public hearing was closed.

Mr. Micas stated he does not believe the current Board of Supervisors can declare what was the intent of the 1985 Board of Supervisors when the ordinance was adopted. He further stated the Attorney General can make a ruling as to what state law intended in 1985, and the county is pursuing options for an Attorney General's opinion on the issue.

Mr. King stated he supports the proposed ordinance.

Mrs. Humphrey stated she supports the proposed amendment, indicating that she will be interested in the Attorney General's opinion relative to the intent of the state law in 1985.

Mr. Miller stated he is not comfortable with Mr. Cogbill's request for declaratory language, indicating that he supports the proposed amendment.

On motion of Mr. King, seconded by Mr. Warren, the Board re-adopted the following ordinance, as amended:

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY
OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING
AND RE-ENACTING SECTIONS 9-151 AND 9-152 RELATING TO
TRANSIENT OCCUPANCY TAX

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That Sections 9-151 and 9-152 of the Code of the County of Chesterfield, 1997, as amended, are amended and re-enacted to read as follows:

Sec. 9-151. Definitions.

o o o

Transient: Any person who, for a period of less than 30 consecutive days, either at his own expense or at another's

expense, obtains lodging at any hotel, as defined in this section.

Sec. 9-152. Imposed amount.

Pursuant to the provisions of Code of Virginia, §§ 58.1-3819 and 58.1-3823, there is hereby imposed on each and every transient a lodging tax in the amount of eight percent of the total amount paid for room rental for lodging by such transient to any hotel; however, this tax shall not apply to rooms rented for lodging for continuous occupancy by the same individual or group for 30 days or more.

(2) That this ordinance shall become effective immediately upon adoption.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

17.C. TO CONSIDER THE ADOPTION OF A RESOLUTION AUTHORIZING THE COUNTY TO CONTRACT DEBT AND ISSUE GENERAL OBLIGATION BONDS AND REQUESTING THE CIRCUIT COURT TO ORDER AN ELECTION ON THE QUESTIONS OF CONTRACTING DEBT AND ISSUING GENERAL OBLIGATION BONDS TO FINANCE PUBLIC IMPROVEMENTS

Ms. Dickson stated this date and time has been advertised for a public hearing for the Board to consider the adoption of a resolution authorizing the county to contract debt and issue general obligation bonds and requesting the Circuit Court to order an election on the questions of contracting debt and issuing general obligation bonds to finance public improvements.

Mr. Miller called for public comment.

There being no one to speak to the issue, Mr. Miller closed the public hearing.

Board members expressed concerns that no one from the public was present to speak to this important issue.

Mr. Warren stated he would like to defer adoption of the resolution until the Planning Commission has held its public hearing scheduled for August 17, 2004 to consider a substantial accord determination request for the Genito Road high school site.

Mr. Warren then made a motion, seconded by Mrs. Humphrey, for the Board to defer consideration of a resolution authorizing the county to contract debt and issue general obligation bonds and requesting the Circuit Court to order an election on the questions of contracting debt and issuing general obligation bonds to finance public improvements until August 25, 2004.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

Mrs. Humphrey excused herself from the meeting.

**17.D. TO CONSIDER AMENDING THE CENTRAL AREA PLAN RELATING TO
THE CHESTERFIELD COUNTY GOVERNMENT CENTER AND
SURROUNDING AREA OF THE COUNTY**

Mr. James Bowling stated this date and time has been advertised for the Board to consider an amendment to the Central Area Plan relating to the Chesterfield County Government Center and surrounding area of the county.

Mr. Miller called for public comment.

Ms. Carol Crosby, representing the Health Center Commission, stated the Commission is interested in developing property adjacent to Lucy Corr Village to produce a full continuing care facility on the existing campus. She further stated the Health Center Commission can support the proposed amendment to the Central Area Plan given its understanding that the amendment does not prevent future expansion of Lucy Corr Village by the Health Center Commission to include the development of a continuing care retirement community licensed by the Virginia Department of Social Services.

In response to Mr. Miller's questions, Mr. Bowling stated staff is recommending office and government uses for most of the subject property with a regional mixed-use node in the vicinity of the intersection of Route 288/Route 10 and single-family residential use along Courthouse Road extended to Salem Church Road.

There being no one else to speak to the issue, the public hearing was closed.

On motion of Mr. Miller, seconded by Mr. King, the Board adopted an amendment to the Central Area Plan relating to the Chesterfield County Government Center and surrounding area of the county.

Ayes: Miller, King and Warren.

Nays: None.

Absent: Barber and Humphrey.

**17.E. TO CONSIDER AMENDING THE ZONING ORDINANCE RELATING TO
LIGHTING**

Ms. Beverly Rogers stated this date and time has been advertised for a public hearing for the Board to consider an amendment to the Zoning Ordinance relating to lighting.

When asked, Ms. Rogers stated the amendment will establish standards for non-residential uses that are able to locate in residential areas, such as schools, parks and churches.

Mr. Miller called for public comment.

No one came forward to speak to the ordinance.

On motion of Mr. Warren, seconded by Mr. King, the Board adopted the following ordinance:

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY
OF CHESTERFIELD, 1997, AS AMENDED, BY ADDING SECTION
19-508.3 AND DELETING SECTION 19-573 RELATING TO
EXTERIOR LIGHTING

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That Section 19-508.3 of the Code of the County of Chesterfield, 1997, as amended, is added and Section 19-573 is deleted to read as follows:

Article VII. Development Standards Manual

o o o

Division 1. Development Standards

o o o

Subdivision 1. General Provisions - Countywide

o o o

Sec. 19-508.3. Exterior lighting.

With the exception of single family residential uses, all exterior lights shall be arranged and installed so that the direct or reflected illumination does not exceed five-tenths foot candle above background, measured at the lot line of any adjoining A, R, R-TH, MH or R-MF district. Except in village districts where light standards may be required to be compatible with unique architectural styles or developments having ornamental pedestrian style lighting, lighting standards shall be of a directional type capable of shielding the light source from direct view from any adjoining A, R, R-TH, MH or R-MF district or public right-of-way.

o o o

Division 3. Development Requirements—Office, Commercial And Industrial

o o o

Subdivision 1. General Provisions, Development Requirements - Countywide

o o o

(2) That this ordinance shall become effective immediately upon adoption.

Ayes: Miller, King and Warren.
Nays: None.
Absent: Barber and Humphrey.

17.F. TO CONSIDER AMENDING THE COUNTY’S EMERGENCY RESPONSE COST RECOVERY ORDINANCE TO ALLOW THE COUNTY TO RECOVER ADDITIONAL COSTS AND TO PERMIT RESTITUTION

Mr. Micas stated this date and time has been advertised for a public hearing for the Board to consider amending the county’s emergency response recovery ordinance to allow the county to increase the emergency response amount from \$100 to

\$250 and to permit the option of recovery of the Fire Department's expenses through court-ordered restitution.

Discussion ensued relative to the inclusion of driving without a license as a reimbursable expense.

Mr. Micas stated there are a surprising number of convictions for driving without a license.

Mr. Miller called for public comment.

No one came forward to speak to the ordinance amendment.

On motion of Mr. Warren, seconded by Mr. King, the Board adopted the following ordinance amendment:

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY
OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING
AND RE-ENACTING SECTION 13-71 RELATING TO
REIMBURSEMENT OF EXPENSES

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That Section 13-71 of the Code of the County of Chesterfield, 1997, as amended, is amended and re-enacted to read as follows:

Sec. 13-71. Reimbursement of expenses incurred in
 responding to DUI and other traffic accidents
 or incidents.

(a) A person convicted of violating any of the following provisions shall be liable in a separate civil action for reasonable expenses incurred by the county or by any volunteer rescue squad, or both, when providing an appropriate emergency response to any accident or incident related to such violation. Personal liability under this section for reasonable expenses of an appropriate emergency response shall not exceed \$1,000.00 in the aggregate for a particular accident or incident occurring in the county:

- (1) The provisions of Code of Virginia §§ 18.2-51.4, 18.2-266 or 29.1-738, as amended, or a similar county ordinance, when such operation of a motor vehicle, engine, train or watercraft while so impaired is the proximate cause of the accident or incident;
- (2) The provisions of Code of Virginia, tit. 46.2, ch. 8, art. 7 (§§ 46.2-852 et seq.), as amended, relating to reckless driving, when such reckless driving is the proximate cause of the accident or incident;
- (3) The provisions of Code of Virginia, tit. 46.2, ch. 3, art. 1 (§§ 46.2-300 et seq.), as amended, relating to driving without a license or driving with a suspended or revoked license; and,
- (4) The provisions of Code of Virginia, § 46.2-894, as amended, relating to improperly leaving the scene of an accident.

(b) In determining "reasonable expenses", the county may bill a flat fee of \$250.00 or a minute-by-minute accounting of the actual costs incurred. As used in this section "appropriate emergency response" includes all costs of providing law-enforcement, fire-fighting, rescue, and emergency medical services. The Court may order as restitution the reasonable expenses incurred by the county for fire-fighting, rescue and emergency medical services.

(c) The police department shall compile a report of the reasonable expenses of the appropriate emergency response for each accident or incident and forward that information to the county attorney's office or the accounting department for appropriate proceedings. The fire department shall have the same reporting requirements except for accidents or incidents for which restitution is sought.

(2) That this ordinance shall become effective August 1, 2004.

Ayes: Miller, King and Warren.

Nays: None.

Absent: Barber and Humphrey.

**17.G. TO CONSIDER ACCEPTANCE AND APPROPRIATION OF A GRANT
AWARDED BY THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES
(DCJS) FOR THE LAW ENFORCEMENT TERRORISM PREVENTION
PROGRAM GRANT**

Lieutenant Colonel Bourque stated this date and time has been advertised for a public hearing for the Board to consider acceptance and appropriation of a grant award from the Department of Criminal Justice Services, Law Enforcement Terrorism Program.

Mr. Miller called for public comment.

No one came forward to speak to the issue.

On motion of Mr. King, seconded by Mr. Warren, the Board accepted the appropriation of a grant award from the Department of Criminal Justice Services, Law Enforcement Terrorism Prevention Program in the amount of \$503,817, and authorized the County Administrator to execute all documents.

Ayes: Miller, King and Warren.

Nays: None.

Absent: Barber and Humphrey.

Mrs. Humphrey returned to the meeting.

**17.H. TO CONSIDER AMENDING SECTIONS 17-2, 17-46, 19-181
AND 19-185 OF THE CODE OF THE COUNTY OF CHESTERFIELD,
1997, AS AMENDED RELATING TO FAMILY DIVISIONS AND
VEHICLE STORAGE YARDS**

Mr. Mike Janosik stated this date and time has been advertised for a public hearing for the Board to consider ordinance amendments relating to family divisions and vehicle

storage yards. He further stated Mr. David Hainley will provide details regarding the amendments relative to family divisions and Mr. Greg Allen will provide details regarding the amendments relative to vehicle storage yards.

Mr. Miller called for public comment.

Mr. David Phillips stated he has concerns about the family division amendments and requested further details of the proposed amendments.

Mr. David Hainley stated the amendment will establish requirements to own property for two years before division to immediate family members for land acquired after January 1, 2005 and for the second family member to own the property for five years before transfer to a non-family member. He further stated the Planning Commission and staff are recommending the amendments because the current family division provision is being used to circumvent the state and county ordinances. He stated exemptions and relief are available. He noted an amendment to the proposed ordinance is being suggested to deal with the need to temporarily transfer ownership of property for HUD funding.

Mr. Phillips expressed concerns relative to restrictions being placed on landowners, indicating that he would like to be able to give land to his children when they are able to build homes. He stated five years can be a long time and expressed concerns relative to the necessity to sell property due to illness, loss of employment, or other reasons.

Mr. Miller stated it is his understanding that there is a provision for a hardship exemption if an incident should occur.

Mr. Phillips stated he believes he should be able to give land to his child and that his child should have the option of doing whatever he or she chooses with the land.

Mr. Miller stated the regulations were designed to protect existing property owners because people were using their children as a pass-through to sell their property to developers.

Mr. Greg Allen provided details of the amendments relative to outside storage of vehicles. He stated the amendment will allow for outside vehicle storage in I-1 Districts as a restricted use. He further stated restrictions on the outside vehicle storage use include being an accessory to a warehouse or mini-warehouse; being totally screened from other districts and uses it would impact; and no maintenance of vehicles on site or sales of vehicles on site. He stated staff is asking the Board to consider one change to the proposed ordinance - deletion of Section 19-181(h)(5) regarding height of stored vehicles exceeding the height of the surrounding warehouse building, walls, or fences, indicating that the existing language in the zoning ordinance is sufficient to provide for enforcement of screening issues.

Mr. David Walker expressed concerns relative to how the county will make a determination regarding the difference between vehicles for sale, vehicles sitting for a while, and vehicles in storage. He stated special provisions exist in

some neighborhoods for the storage of boats and campers on properties considered to be screened, and expressed concerns that these are residential neighborhoods - not I-1 or C-3. He suggested that the county investigate inconsistencies in the zoning ordinance prior to adopting an amendment relative to storage of the "wanted" vehicles of Chesterfield County.

No one else came forward to speak to the issue.

Mr. King stated he agrees with Mr. Phillips that five years is an excessive period of time for requiring a second family member to own property before transfer to a non-family member.

Mrs. Humphrey stated the county has a problem with the development community attempting to circumvent the process through family divisions, but does not believe families who are maintaining and paying taxes on property should be penalized because of developers' actions. She expressed concerns relative to government controlling family property.

Mr. Miller stated many roadstripped lots have occurred over the years are a result of family divisions. He suggested that the Board defer consideration of the proposed ordinance amendments.

After brief discussion, on motion of Mrs. Humphrey, seconded by Mr. Warren, the Board deferred the public hearing to consider ordinance amendments relating to family divisions and vehicles storage yards until January 26, 2005.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

18. REMAINING MOBILE HOME PERMITS AND ZONING REQUESTS

There were no remaining mobile home permits and zoning requests to be considered at this time.

19. ADJOURNMENT

On motion of Mr. King, seconded by Mr. Warren, the Board adjourned at 8:51 p.m. until August 25, 2004 at 3:00 p.m.

Ayes: Miller, Humphrey, King and Warren.

Nays: None.

Absent: Barber.

Lane B. Ramsey
County Administrator

Kelly E. Miller
Chairman